



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह भ्रम संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 22 मई 1967 तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published up to the 22nd May 1967:—

Issue No.	No. and Date	Issued by	Subject
294.	S.O. 1783, dated 16th May, 1967	Ministry of Law	Election to the House of the People Panjim Constituency and Marmagao Constituency.
295.	S.O. 1784, dated 16th May, 1967.	Do.	Bye-Election to the House of the People, Udhampur Parliamentary Constituency.
296.	S.O. 1785, dated 17th May, 1967.	Ministry of Commerce.	Amendment to The Export of Cashew Kernels (Quality Control and Inspection) Rules, 1966.
297.	S.O. 1862, dated 22nd May, 1967	Ministry of Information & Broadcasting	Approval of the Films as specified therein.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

(1885)

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th May 1967

S.O. 1970.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958, namely:—

1. (1) These rules may be called the Authentication (Orders and other Instruments) *Fourth Amendment Rules, 1967.*

(2) They shall come into force on the date of their publication in the official Gazette.

2. In rule 2 of the Authentication (Orders and other Instruments) Rules, 1958, for clause (c) the following clause shall be substituted namely:—

“(c) In the case of orders and other instruments in the Ministry of Defence, by the Director General, Naval Dockyard Expansion Scheme, the Director General or the Deputy Director General, Ordnance Factories, the Director Military Regulations and Forms, Assistant Director, Military Regulations and Forms, the Chief Administrative Officer or Assistant Chief Administrative Officer or the Director of Personnel, National Cadet Corps; or”.

[No. 3/1/67-Pub. I.]

FATEH SINGH, Jt. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)
New Delhi, the 26th May 1967

S.O. 1871.—Statement of the Affairs of the Reserve Bank of India as on the 19th May, 1967

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes	23,76,41,000
		Rupee Coin	4,95,000
Reserve Fund	80,00,00,000	Small Coin	3,86,000
National Agricultural Credit (Long Term Operations) Fund	115,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	..
		(b) External	..
		(c) Government Treasury Bills	201,90,50,000
National Agricultural Credit (Stabilisation) Fund	16,00,00,000	Balances Held Abroad*	41,38,39,000
National Industrial Credit (Long Term Operations) Fund	20,00,00,000	Investments**	262,21,54,000
		Loans and Advances to :—	
		(i) Central Government	..
		(ii) State Governments ‡	78,83,44,000

* Includes Cash and Short-term Securities.

** Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

‡ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

LIABILITIES		Rs.	ASSETS		Rs.
Deposits :			Loans and Advances to :—		
(a) Government—			(i) Scheduled Commercial Banks†		
					32,48,93,000
(i) Central Government . . .			(ii) State Co-operative Banks††		
		59,27,42,000			136,33,16,000
(ii) State Governments			(iii) Others		
		15,05,67,000			2,56,40,000
(b) Banks—			Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—		
(i) Scheduled Commercial Banks .			(a) Loans and Advances to :—		
		125,36,77,000	(i) State Governments		
(ii) Scheduled State Co-operative Banks					28,29,39,000
		5,27,23,000	(ii) State Co-operative Banks		
(iii) Non-Scheduled State Co-operative Banks					11,51,96,000
		61,28,000	(iii) Central Land Mortgage Banks		
(iv) Other Banks . . . . .					..
		5,79,000	(b) Investment in Central Land Mortgage Bank Debentures .		
(c) Others					7,09,26,000
		267,92,20,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—		
Bills Payable			Loans and Advances to State Co-operative Banks		
		32,27,55,000			2,95,41,000
Other Liabilities			Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—		
		133,28,64,000	(a) Loans and Advances to the Development Bank		
Rupees					5,24,15,000
		875,12,55,000	(b) Investment in bonds/debentures issued by the Development Bank		
					..
			Other Assets		
					40,44,80,000
			Rupees		
					875,12,55,000

† Includes Rs. 11,03,93,000 advanced to Scheduled Commercial Banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

As at the 24th day of May, 1967.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 19th day of May, 1967

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	23,76,41,000		Gold Coin and Bullion :—		
Notes in Circulation	3097,63,77,000		(a) Held in India	115,89,23,000	
Total Notes issued		3121,40,18,000	(b) Held outside India	..	
			Foreign Securities	186,42,01,000	
			TOTAL		302,31,26,000
			Rupee Coin		69,17,33,000
			Government of India Rupee Securities		2749,91,59,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		3121,40,18,000	TOTAL ASSETS		3121,40,18,000

Dated the 24th day of May, 1967.

P. C. BHATTACHARYYA,
Governor

[No. F. 3(3)-BC/67].

(Department of Economic Affairs)

New Delhi, the 27th May 1967

S.O. 1872.—In exercise of the powers conferred by section 53, read with section 56, of the Banking Regulation Act, 1948 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and Rule 10 of the Banking Regulation (Co-operative Societies) Rules, 1966, shall not apply to the undernoted co-operative banks in so far as they relate to the publication of their balance sheets and profit and loss accounts for the year ended the 30th June, 1966, together with the auditors' reports in a newspaper.

1. Anakapalle Co-operative Urban Bank Ltd., Anakapalle (Visakhapatnam).
2. Gudiwada Co-operative Urban Bank Ltd., Gudiwada (Krishna).
3. Co-operative Bank Ltd., Salur (Srikakulam).
4. Vizagapatam Port Trust Employees' Banking Co-operative Society Ltd., Visakhapatnam.
5. Dibrugarh Central Co-operative Bank Ltd., Dibrugarh (Lakhimpur).
6. Nalbari Central Co-operative Banking Union Ltd., Nalbari (Kamrup).
7. Sibsagar Central Co-operative Banking Union Ltd., Sibsagar.
8. Tisco Smith-shop Department Co-operative Credit Society Ltd., Jamshedpur (Singhbhum).
9. Bihar Police Co-operative Bank Ltd., Patna.
10. Kumardhubi Co-operative Credit Bank Ltd., Kumardhubi (Dhanbad).
11. Indian Steel & Wire Products Co-operative Credit Society Ltd., Indranagar, Jamshedpur (Singhbhum).
12. Tisco Open Hearth Co-operative Credit Society Ltd., Jamshedpur (Singhbhum).
13. Karnal Central Co-operative Bank Ltd., Karnal.
14. Burhanpur Tapti Mills Employees Co-operative Society Ltd., Burhanpur
15. Railway Employees' Co-operative Bank Ltd., Madras.
16. Chintadripet Co-operative Bank Ltd., Madras.
17. M.S. Patel Co-operative Bank Ltd., Fort, Bombay-1.
18. Cotton Depot Workers' Co-operative Credit Society Ltd., Cotton Green, Bombay-15.
19. Air Corporations Employees' Co-operative Bank Ltd., Santa Cruz, Bombay-29.
20. Ajra Urban Co-operative Bank Ltd., Ajra (Kolhapur).
21. Bhil District Central Co-operative Bank Ltd., Bhil.
22. Vishnu Mill Employees' Co-operative Credit Society Ltd., Sholapur.
23. Lakshmi Mill Employees' Co-operative Credit Society Ltd., Sholapur.
24. Wallace Flour Mills Co. Ltd., Employees' Co-operative Credit Society Ltd., Bombay-9.
25. Kolhapur District Central Co-operative Bank Ltd., Kolhapur.
26. Punjab State Co-operative Bank Ltd., Chandigarh (Ambala).
27. Ambala Central Co-operative Bank Ltd., Ambala City (Ambala).
28. Batala Central Co-operative Bank Ltd., Batala (Gurdaspur).
29. Faridkot Central Co-operative Bank Ltd., Faridkot (Bhatinda).
30. Hoshiarpur Central Co-operative Bank Ltd., Hoshiarpur.
31. Jullundur Central Co-operative Bank Ltd., Jullundur.
32. Kapurthala Central Co-operative Bank Ltd., Kapurthala.
33. Ludhiana Central Co-operative Bank Ltd., Ludhiana.
34. Nawanshahr Central Co-operative Bank Ltd., Nawanshahr (Jullundur).
35. Ropar Central Co-operative Bank Ltd., Ropar (Ambala).
36. Gurdaspur Central Co-operative Bank Ltd., Gurdaspur.
37. Bhatinda Central Co-operative Bank Ltd., Bhatinda.
38. Sangrur Central Co-operative Bank Ltd., Sangrur.
39. Co-operative Bank Ltd., Sirsa (Hissar).

40. Jogindra Central Co-operative Bank Ltd., Nalagarh (Ambala).
41. Nakodar Hindu Co-operative Bank Ltd., Nakodar (Jullundur)
42. Kurali Urban Co-operative Bank Ltd., Kurali (Amritsar).
43. National Urban Co-operative Bank Ltd., Hoshiarpur.
44. Churu Central Co-operative Bank Ltd., Churu.
45. Lakheri Cement Workers' Multipurpose Co-operative Society Ltd Lakheri (Bundi).
46. Dungarpur Kendriya Sahakar Bank Ltd., Dungarpur.
47. Central Co-operative Bank Ltd., Tonk.
48. Jaipur Central Co-operative Bank Ltd., Jaipur
49. Kota Central Co-operative Bank Ltd., Kota.
50. Nagaur Central Co-operative Bank Ltd., Nagaur.
51. Himachal Pradesh State Co-operative Bank Ltd., Simla (Mahasu, Himachal Pradesh).

[No. F. 18/9/67-SB.]

V. SWAMINATHAN, Under Secy.

(Department of Expenditure)

New Delhi, the 17th May 1967

S.O. 1873.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and of all other powers enabling him in this behalf and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Fundamental Rules, namely:—

1. These Rules may be called the Fundamental (Second Amendment) Rules, 1967.

2. In the Fundamental Rules, in Rule 56, after Note 2, the following Note shall be inserted, namely,—

"Note 3.—In computing the notices period of three months referred to in clauses. (j) and (k), the date of service of the notice shall be included."

[No. F. 7(5)-E.V./67.]

C. K. SUBRAMANIAN, Under Secy

(Department of Revenue and Insurance)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 19th May 1967

S.O. 1874.—In pursuance of clause (b) of sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1948, the Central Government has been pleased to appoint Shri K. R. Srinivasan, Inspecting Assistant Commissioner of Income-tax, Range-IV, Madras, as Authorised Representative, Income-tax Appellate Tribunal, Madras, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal, Madras from 3rd May 1967 to 20th May 1967.

[No. 109.]

M. G. THOMAS, Under Secy

(Department of Revenue & Insurance)

New Delhi, the 25th May 1967

S.O. 1875 In pursuance of paragraph (9) of the Scheme of War Risks Insurance of Marine Hulls, the Central Government hereby publishes, as follows an account of the sums received into and paid out of the War Risks (Marine Hulls) Reinsurance Fund during the year ending with the 31st March, 1966.

Account of the sums received into and paid out of the "War Risks (Marine Hulls) Reinsurance Fund" during the year ending with the 31st March, 1966.

RECEIPTS			EXPENDITURE		
	Amount	Progress of receipts upto the end of March 1966		Amount	Progress of Expenditure up to the end of March 1966
1	2	3	4	5	6
	Rs.	Rs.			
1 Insurance Premium . . .	43,34,453.06	43,34,453.06	1. Administrative expenses of the Life Insurance Corporation of India.	..	..
2 Advances from Consolidated Fund of India under Paragraph 8 (iii)	..	..	2. Payment of Liabilities under the War Risks (Marine Hulls) Re-insurance Scheme under paragraph 8(ii) (showing details if necessary)	..	..
3 Miscellaneous receipts . . .	..	..	3. Repayments of advances made under paragraph 8(iii).	..	..
			4. Miscellaneous expenditure (showing details if necessary).	..	..
			5. Refunds of premium	..	..
			6. Sums disposed of in accordance with paragraph 8(v).	..	..
TOTAL . . .	43,34,453.06	43,34,453.06		Nil	Nil

[No. F. 52(2)-INS. I/67]

RAJ K. NIGAM, Dy. Secy.

(Department of Revenue & Insurance)

ORDER

STAMPS

New Delhi, the 3rd June 1967

S.O. 1876.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government is pleased to remit the stamp duty chargeable under the said Act on the receipts executed by the cultivators in respect of food grains procured under the Uttar Pradesh Rabi Food-grains Procurement (Levy on Producers) Order, 1967.

[No. 4/67—F. No. 1/20/67-Cus. VII/Stampa.]

M. S. SUBRAMANYAM, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 20th May 1967

S.O. 1877.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes, hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in Column 1 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to Income-tax or Super-tax in the Income-tax Circles. Wards and Districts, specified in the corresponding entry in column 2 thereof.

SCHEDULE

Range (1)	Income-tax Wards/Circles and Districts (2)
A—Range, Bombay	Company Circle II, Film Circle and Company Circle I(8), I(9), I(10).
B—Range, Bombay	Company Circle I(1), I(2), I(3), I(4), I(5), I(6) and I(7).
C—Range, Bombay	Non-residents Refund Circle, AIV, C-II, Evacuee Circle I, Foreign Section, Bombay Circle, Special Investigation Branch.
D—Range, Bombay	Company Circle IV(1), IV(2), IV(3), IV(4), IV(5), IV(6), IV(7), IV(8), IV(9) and Evacuee Circle II.
E—Range, Bombay	D-I Ward.
F—Range, Bombay	B-II and D-II Wards.
G—Range, Bombay	B-I and A-III Wards.
H—Range, Bombay	Bombay Suburban District (West) 1st, 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Income-tax Officers, charges only.
I—Range, Bombay	Bombay Suburban District (East), Hundi Circle, Special Investigation Branch IV.
J—Range, Bombay	Company Circle III(1), III(2), III(3), III(4), III(5), III(6) and III(7).
K—Range, Bombay	C-IV Ward Company Circle III(8), III(9), III(10), III(11).
L—Range, Bombay	C-I Ward and E-Ward 1st, 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Income-tax Officers, charges only.
M—Range, Bombay	B-III and A-II and E-Ward 9th, 10th, 11th Income-tax Officers, charges.
N—Range, Bombay	C-III and A-V Wards.
P—Range, Bombay	Salary Section I, Salary Section II and Bombay, Refund Circle
Q—Range, Bombay	G-Ward and Bombay Suburban District (West) 9th, 10th, 11th, 12th and 13th Income-tax Officers, charges.
R—Range, Bombay	A-I Ward and Company Circle IV (10), IV(11) and IV(12).
S—Range, Bombay	Market Ward.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle/Ward or District or part thereof is transferred.

This notification shall take effect from 1st June, 1967.

Explanatory Note

The amendments have become necessary on account of creation of a new range known as S-Range, Bombay in the charge of Commissioners of Income-tax, Bombay City I, II and III and reallocation of work load amongst the A.A.Cs.

(The above note does not form part of the notification but is intended to be merely clarificatory).

[No. 37 (F. No. 50/38/67-ITJ).]

New Delhi, the 22nd May 1967

S.O. 1878.—In exercise of the powers conferred by sub-section (1) of Section 123 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf the Central Board of Direct Taxes hereby makes the following amendments in the Schedule appended to its notification No. 5 (F. No. 50/1/66-ITJ) dated the 14th January 1966, namely:—

In the said Schedule against 'A' Range, Ahmedabad and 'C' Range, Ahmedabad under column 2 the following shall be substituted namely:—

'A' Range, Ahmedabad

1. Group Circle I(1), Ahmedabad.
2. Group Circle I(2), Ahmedabad.
3. Group Circle II(1), Ahmedabad.
4. Circle IV, Ahmedabad.
5. Circle V, Ahmedabad.
6. Circle X, Ahmedabad.

'C' Range, Ahmedabad

1. Circle I, Ahmedabad
2. Circle VI, Ahmedabad
3. Circle VII, Ahmedabad
4. Circle III, Ahmedabad
5. Circle IX, Ahmedabad.

This notification shall take effect from 1st June, 1967.

Explanatory Note

The amendments have become necessary on account of the reallocation of work among A.A.C., A-Range, Ahmedabad and A.A.C., C-Range, Ahmedabad in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 38 (F. No. 50/115/67-ITJ).]

New Delhi, the 24th May 1967

S.O. 1879.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax specified in Column 1 of the Schedule below shall perform his functions in respect of all persons and incomes assessed to income-tax or super-tax in

the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:

SCHEDULE

Range	Income-tax Circles, Wards and Districts
(1)	(2)
Appellate Assistant Commissioner of Income-tax (Central) Bombay.	Sections I to XVII (Central) Bombay

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from the 1st June, 1967.

Explanatory Note

The amendments have become necessary on account of abolition of one appellate range in the Commissioner's charge.

(This note does not form a part of the notification but is intended to be merely clarificatory).

[No. 39 (F. No. 50/106/67-ITJ.)]

T. N. PANDEY, Under Secy

INCOME-TAX

New Delhi, the 24th May 1967

S.O. 1880.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT) dated 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II, Section 3 sub-section (ii) dated the 11th May, 1963 as amended from time to time:—

1. Existing entries under Columns (1), (2) and (3) against S. No. 12 shall be substituted by the following entries:

1	2	3
12 Madhya Pradesh and the Districts of Nagpur and Bhandara.	Nagpur	State of Madhya Pradesh and districts of Nagpur and Bhandara of Maharashtra State <i>excluding</i> Central circles I to III Nagpur.

2 Existing entries under Columns (1), (2) and (3) against S. No. 12A shall be deleted.

This notification shall take effect from 24th May, 1967.

[No. 35 (F. No. 55/92/67-IT)(A.II.)]

A. RAGHAVENDRA RAO, Under Secy

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE**CENTRAL EXCISE***Bangalore, the 28th April 1967*

S.O. 1881.—In exercise of the powers vested in me under rule 5 of Central Excise Rules 1944, I hereby empower the Central Excise Officers of the Mysore Central Excise Collectorate specified in Col. 1 of the table below, to exercise within their respective jurisdiction, the powers of Collector under the rule enumerated in Col. 2 and subject to the limitations set out in Col. 3 of the table.

Rank of Officer	Rule	Extent of authority and/or limitations
Assistant Collector	53	To grant permission to Central Excise licensees to maintain R.G. 1 or R.G. 1 and E.B. 4 only on days when there is manufacture, storage and/or clearance of excisable goods.

(Issued from File C. No. IV/8/1/67-B. 2).

[No. 1/67.]

C. T. A. PILLAI, Collector.

OFFICE OF THE COLLECTOR OF CUSTOMS & CENTRAL EXCISE, COCHIN**CENTRAL EXCISES***Cochin, the 1st May 1967*

S.O. 1882.—In exercise of the powers conferred by Rule 5 of the Central Excise Rules, 1944, I hereby empower all officers, not below the rank of an Assistant Collector of Central Excise, to exercise within their respective jurisdiction, the powers of "Collector" under the proviso to Rule 53(d) of the Central Excise Rules, 1944, as inserted by the Central Excise (7th Amendment) Rules, 1966.

(Issued from File C. No. IV/16/116/67-Cx.-I.)

[No. 4/67.]

D. N. KOHLI, Collector.

OFFICE OF THE COLLECTOR OF CUSTOMS AND CENTRAL EXCISE, SHILLONG**CENTRAL EXCISES***Shillong, the 19th May 1967*

S.O. 1883.—This Collectorate Notification 1/C.E./67, dated 22nd February, 1967 forwarded under this Office Endt. C. No. IV/8/1/66, dated 6th March, 1967 appearing in the Gazette of India under S.O. 1471, in its publication of April, 27, 1967, is hereby cancelled.

...[No. 4/CE/67.]

A. K. BANDYOPADHYAY, Collector.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE: HYDERABAD (DECCAN)**CENTRAL EXCISE***Hyderabad, the 22nd May 1967*

S.O. 1884.—In exercise of the powers conferred upon me by Rule 5 of the Central Excise Rules, 1944, I hereby empower the Assistant Collectors of Central Excise to exercise the powers of "Collector" under the proviso to Rule 53 of the said Rules within their jurisdiction.

[No. 2/67-C.E.]

M. L. ROUTH, Collector.

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION**(Department of Agriculture)***New Delhi, the 26th May 1967*

S.O. 1885.—In pursuance of sub-section (1) of section 7 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) and in supersession of the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) No. S.O. 635 dated 10th February, 1967, the Central Government hereby appoints the Deputy Secretary in charge of Livestock Development in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) to be the Secretary of the Animal Welfare Board, *ex officio*.

[No. 4-1/67-C.E.I.]

B. R. KAPOOR, Under Secy.

MINISTRY OF COMMERCE*New Delhi, the 20th May 1967*

S.O. 1886.—Whereas the Central Government is of opinion that the recognition granted to the Om Oils and Oilseeds Exchange Ltd., Delhi, under the provisions of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), by the Government of India in the Ministry of Commerce and Industry notification Nos. S.O. 853, dated the 12th April, 1961 and S.O. 854 of even date in respect of forward contracts in groundnut oil, rapeseed and mustardseed, should in the interest of the trade and in public interest be withdrawn;

And whereas the Central Government has given a reasonable opportunity to the said Exchange to be heard in the matter;

Now, therefore, in exercise of the powers conferred by section 7 of the said Act, the Central Government hereby withdraws the recognition granted under the said notifications to the Om Oils and Oilseeds Exchange Ltd., Delhi, in respect of forward contracts in groundnut oil, rapeseed and mustardseed.

[No. 32(5)-Com.Genl./FMC/66.]

S.O. 1887.—Whereas the Central Government is of opinion that the recognition granted to the Agra Merchants Chamber Limited, Agra under the provisions of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), by the Government of India in the Ministry of Commerce and Industry notification No. S.O. 2762, dated the 15th November, 1960, in respect of forward contracts in rapeseed and mustardseed should in the interest of the trade and in the public interest, be withdrawn;

And whereas reasonable opportunity for being heard in the matter has been given to the said Chamber;

Now, therefore, in exercise of the powers conferred by section 7 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government, hereby withdraws the recognition granted to the Agra Merchants Chamber Limited, Agra, in respect of forward contracts in rapeseed and mustardseed.

[No. 34(2)-Com.Genl./FMC/67.]

M. L. GUPTA, Under Secy.

(Office of the Dy. Chief Controller of Imports and Exports)**ORDER***Panjim, the 12th May 1967*

S.O. 1888.—M/s. Manilal Melapchand Shah Daman were granted an import licence No. P/EI/0001398C/XX/19/C/G/18 dated 22nd June 1964. They have applied for a duplicate Customs Purposes Copy of the licence on the ground that the original copy of the Customs Purposes Copy of the licence has been lost. It is further stated that the original licence was not registered with any Customs Authority and not utilised at all. In support of this contention, the applicant has filed an affidavit.

I, K. Jayaraman, Deputy Chief Controller of Imports & Exports, Panjim-Goa, in the Ministry of Commerce, in exercise of the powers conferred by Clause 9 of Import (Control) Order, 1955, hereby cancel the original Customs Purposes Copy of Import licence No. P/EI/0001398C/XX/19/C/G/18 dated 22nd June 1964.

The matter of issue of a duplicate Customs Purposes Copy of the licence is under consideration.

[No. EI/308(d)/IV/101/OM'64.]

K. JAYARAMAN,
Dy. Chief Controller

(Office of the Jt. Chief Controller of Imports and Exports)
(Central Licensing Area)

ORDER

New Delhi, the 24th April 1967

S.O. 1889.—Whereas Messrs. Nangla Radios, 137, Chandni Chowk, Delhi or any bank or any other person have not come forward furnishing sufficient cause against Notice number JCCI. I(CLA)/93/60/1509 dated 28th October 1966 proposing to cancel licence No. P/SS/1537483/C/XX/19/CD/19-20 dated 30th December 1964 for the imports of Domestic Radio Parts for Rs. 9,639/- granted to said Messrs. Nangla Radios, 137, Chandni Chowk, Delhi by the Joint Chief Controller of Imports and Exports (Central Licensing Area), New Delhi, Govt. of India, in the Ministry of Commerce in exercise of the powers conferred by the clause-9 of the Import (Control) Order, 1955, hereby cancel the said licence No. P/SS/1537483/C/XX/19/CD/19-20 dated 30th December 1964 issued to Messrs. Nangla Radios, 137, Chandni Chowk, Delhi.

[No. 95/60/ENF/CLA/576.]

K. RAJARAMAN,
Jt. Chief Controller.

(Office of the Chief Controller of Imports & Exports, New Delhi)

ORDER

New Delhi, the 20th May 1967

S.O. 1890.—In exercise of the powers conferred by clause 9 of the Imports Control Order 1965, dated the 7th December, 1955, as amended from time to time, the undersigned hereby cancels the Import licence No. G/DG/2100771/C/XX/17.18/CH/17.18 dated the 29th January 1964 (both the Exchange Control and Customs Purposes fully unutilised) for the import of Machine Taps etc. valued at Rs 5855 issued in favour of M/s. Indian Hardware Industries Limited, 58 Janpath, New Delhi.

The reason for cancellation is the A/T. pertaining to the licence has been cancelled by the D.G.S.&D.

[No. 174-I/Cont/63-64/LVI/796.]

R. K. JOLLY,
Deputy Chief Controller

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 19th May 1967

S.O. 1891.—In exercise of the powers conferred by Section 43 of the Indian Post Office Act, 1898 (6 of 18'8), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. (1) These rules may be called the Indian Post Office (third Amendment) Rules, 1967.

(2) They shall come into force on the 1st day of June, 1967

2. In the Indian Post Office Rules, 1933,—

(a) For rule 110, the following rule shall be substituted, namely:—

"The amount for which a single money order may be issued shall not exceed Rs. 1000";

(b) For rule 127, the following rule shall be substituted, namely:—

"The amount for which a single telegraphic money order may be issued shall not exceed Rs. 1000, and shall not include a fraction of a rupee";

- (c) in sub-rule (2) of rule 145, for the words "Post and Telegraph Guide", the words "Post Office Guide" shall be substituted;
- (d) in rule 146(1), for the figures "Rs. 600", the figures "Rs. 1000" shall be substituted;
- (e) in sub-rule (2) of rule 149 and in rule 150 for the words "Post and Telegraph Guide" the words "Post Office Guide" shall be substituted.

[No. 42/8/66/CF/CI.]

Director Postal Technical

MINISTRY OF TRANSPORT & SHIPPING

(Transport Wing)

PORTS

New Delhi, the 27th May 1967.

S.O. 1892.—In pursuance of sub-section (2) of section 9 of the Madras Port Trust Act, 1905 (Madras Act II of 1905), it is hereby notified that in accordance with the provisions of section 13 of the said Act, Shri E. W. D. Jeffares has been elected by the Madras Chamber of Commerce and Industry to be a trustee of the Port of Madras, with effect from the 19th April, 1967, in the vacancy caused by the resignation of Shri A. D. Galloway.

DALJIT SINGH,

[No. F. 13 PG(27)/67-II.]

S.O. 1893.—In pursuance of sub-section (2) of section 8 of the Madras Port Trust Act, 1905 (Madras Act 2 of 1905), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Transport and Communications, Department of Transport (Transport Wing) No. 13-C-PG(22)/58, dated the 13th February, 1960, namely:—

Amendment

In the said notification, in the Table against Serial No. 3, for the words "Madras Chamber of Commerce", the words "Madras Chamber of Commerce and Industry" shall be substituted

[No. F. 13-PG(27)/67-I.]

K. L. GUPTA, Under Secy.

MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

New Delhi, the 18th May 1967

S.O. 1894.—In pursuance of conditions (viii) and (xi) of the Licence for the manufacture of salt issued under rule 103 of the Central Excise Rules, 1944, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Industry & Supply No. 13(7)/65 Salt, dated 15th February, 1966, namely:—

In the said notification, after clause (iii), the following paragraph shall be inserted, namely:—

- "2. Nothing contained in this notification shall apply to salt manufactured for the sole consumption within their chemical works by licencees in any part of the coast line abutting the districts of Saurashtra and Kutch in the State of Gujarat who do not export salt"

[No. F. 13(7)/65-Salt.]

V. PRAKASH, Under Secy.

(Department of Industrial Development)


(Indian Standards Institution)

New Delhi, the 22nd May 1967

S.O. 1895—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 16 May 1967 :

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
1	2	3	4	5
1	 SECTION	Rolled steel sections for doors, windows and ventilators	IS 1038-1957 Specification for steel doors, windows and ventilators	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col (2), the number designation of the Indian Standard being superscribed on the top side and the word 'SECTION' being subscribed under the bottom side of the monogram as indicated in the design.

[No. MD/17:2.]

S.O.1896—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for rolled steel sections for doors, windows and ventilators details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 16 May 1967 :

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
1	2	3	4	5
1	Rolled steel sections for doors windows and ventilators.	IS.1038-1957 Specification for steel doors, windows and ventilators.	One tonne	Ra. 5.00

[No. MD/18:2.]

(DR.) SADGOPAL,
Deputy Director General.

MINISTRY OF WORKS, HOUSING AND SUPPLY,**(Department of W & H)***New Delhi, the 16th May 1967*

S.O. 1897.—In exercise of the powers conferred by Sub-Section (1) of Section 12 of Delhi Development Act 1957 (61 of 1957), the Central Government after consultation with the Delhi Development Authority, Delhi, hereby makes the following amendments to the Government of India, Ministry of Works, Housing and Urban Development Notification No. 21020(4)/66-UD dated the 24th February, 1967 published in the Gazette of India Part II, Section 3(ii) Serial No. 758 dated the 4th March, 1967 namely:—

The Schedule I to the said notification:—

- (1) in the entries against serial No. 8 and development area No. 27 A the words "South East" in the second line may be substituted by "South West"
- (2) in the entries against serial No. 15 and development area No. 34(B) the figure and word "50 feet" appearing in the fourth line may be substituted by "60 feet".

[No. 21020(4)/66-UD]

C. R. BOSE, Under Secy.

(Directorate of Estates)**(Policy Cell)***New Delhi, the 25th May 1967*

S.O. 1898.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officers mentioned in column 1 of the table below, being gazetted officers of Government, to be Estate Officers for the purpose of the said Act who shall exercise the powers conferred, and perform the duties imposed, on Estate Officers by or under the said Act within the local limits of their respective jurisdiction in respect of public premises specified in the corresponding entries in column 2 of the said table.

THE TABLE

Designation of the officers.	Categories of public premises and local limits of jurisdiction.
1	2
(i) Officer on Special Duty (Land Reforms) and <i>ex-officio</i> Under Secretary, Revenue; (ii) The Revenue Assistant; (iii) All Sub-Divisional Magistrates exercising powers of Revenue Assistant.	Premises under the administrative control of the Central Government and the Delhi Admn. situated within the local limits of their respective jurisdictions in the Union Territory of Delhi.

[21011(4)/66-POL-I.]

S.O. 1899.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officer mentioned in column 1 of the table below, being gazetted officer of Government, to be Estate Officer for the purpose of the said Act who shall exercise the powers conferred, and perform the duties imposed, on Estate Officers by or under the said Act within the local limits of their respective jurisdiction in respect of public premises specified in the corresponding entries in column 2 of the said table.

THE TABLE

Designation of the officer.

Categories of public premises and local limits of jurisdiction.

1. The Chief Vigilance Officer, Deptt. of Atomic Energy.

Premises (Office and residential) belonging to or under the administrative control of the Department of Atomic Energy and its constituent units other than the Bhabha Atomic Research Centre, in Bombay or elsewhere.

- [No. 21011(4)/66-POL-II.]

K. C. JOSHI, Dy. Secy.

MINISTRY OF HEALTH & FAMILY PLANNING

(Deptt. of Health)

ORDER

New Delhi, the 8th May 1967

S.O. 1900.—Whereas the Government of India in the late Ministry of Health has, by notification No. 17-2/59-MI, dated the 1st April, 1960, made in exercise of the powers conferred by Sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. Granted by the University of Toronto, Canada for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period of two years with effect from the 30th May, 1966, or so long as Dr. Richard Kingslay Gill, who possesses the said qualification, continues to work in the Serango Christian Hospital, P.O. Serango Ganjam Distt. Orissa to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Richard Kingslay Gill shall be limited, provided that during this period he continues to be enrolled as medical practitioner in accordance with the law regulating the registration of medical practitioner in his country.

[No. F.19-5/67-MP1.]

V. K. SAMANTROY, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 20th May 1967

S.O. 1901.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2 Calcutta, in the industrial dispute between the employers in relation to the Kendra Colliery, Post Office Pandaveswar (Burdwan) and their workmen, which was received by the Central Government on the 17th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 44 of 1966

PARTIES:

Employers in relation to the Kendra Colliery,
AND
Their workmen,

PRESENT:

Shri S. K. Sen—Presiding Officer.

APPEARANCES:

On behalf of the Employers.—Shri S. S. Mukherjee, Advocate.
On behalf of Workmen.—Shri P. Das Gupta, Advocate.

STATE: West Bengal

INDUSTRY: Coal Mines

AWARD

By Order No. 6/48/65-LR-II, dated 26th July, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Kendra Colliery of Messrs Samla Collieries Limited and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the action of the management of the Kendra Colliery in transferring their workmen Shri Chota Parsadi Paswan, Trammer, from underground to surface is justified? If not, to what relief is the workman entitled?"

2. Chota Parsadi Paswan, according to his own evidence, was appointed about 7 or 8 years back and according to the management he was first appointed on 18th December, 1951. He started work as a sand trammer on the surface, and did that work for a year or a year and a half. Thereafter he worked as an underground loader for about 6 months and then became an underground trammer. In the second week of October, 1964, he was transferred to the surface as a surface trammer. Originally the management gave the date of transfer to the surface as 4th January, 1965, but after obtaining a copy of the written statement of the union where in Paragraph 7 the date of transfer was given as the second week of October, 1964, the management filed a rejoinder admitting in paragraph 4 that Chota Parsadi Paswan had been transferred to the surface in the second week of October, 1964. The workman had gone on leave from the 28th December, 1964 to the 2nd January, 1965; he was reposted as a surface trammer when he returned from leave. Chota Parsadi protested against the transfer to the surface as thereby he lost the underground allowance and the benefit of the extra leave to which an underground worker is entitled. The management did not transfer him back as an underground trammer, and accordingly on his behalf a dispute was raised by the Vice-President of the Colliery Mazdoor Sabha by a letter dated 18th January, 1965, addressed to the Regional Labour Commissioner, Dhanbad, (Ext. 6). The attempt at conciliation failed and so the dispute is now before the tribunal.

3. According to the union, Chota Parsadi became a member of the unit of the Colliery Mazdoor Sabha and during 1964-65 he was elected to the Committee as a member. The management did not recognise the newly formed unit of the Colliery Mazdoor Sabha and took a hostile attitude towards the workmen who took a prominent part in organising the union. Chota Parsadi further incurred the displeasure of the management because he gave evidence adverse to the manager at an enquiry by the Mines Inspector in December, 1964, when one Maleswar Mondal, Surface Trammer, died as a result of a fall into the mine. According to the union, the management transferred Chota Parsadi to the surface as a surface trammer in order to punish and victimise him for his trade union activities and for daring to give evidence before the Mines Inspector.

4. According to the management, owing to the reduction in the raising from Kendra colliery there was a surplus of underground trammers working at Kendra colliery and accordingly Chota Parsadi who had worked on the surface as a surface trammer before was transferred to the surface as a surface trammer. No change in conditions of service was involved as the surface trammer and the underground trammer are in the same category and receive the same basic wages and dearness allowance, except that when a trammer works underground he gets a small underground allowance to compensate for the disadvantages and risks to which people working underground in a mine are subject. The management denied that they had any knowledge of Chota Parsadi taking an active part in organising the Colliery Mazdoor Sabha or that for that reason the management decided to penalise him. The management also denied that because Chota Parsadi had filed a petition or given evidence before the Mining Inspector in connection with Maleswar Mondal's death the transfer was made as a punishment.

5. It appears that the accident involving the death of Maleswar Mondal took place in December, 1964; although the date is not stated by any of the witnesses in the evidence before the tribunal, it appears that on the 4th January, 1965, Chota Parsadi wrote a letter addressed to the Chief Mining Engineer, Ext. 5, in which he complained against the Manager of Kendra Colliery for threatening him for his evidence in connection with the enquiry by the Mines Inspector and the reply of the C.M.E., Ext. 4, dated 8th January, 1965, wherein the C.M.E. stated that he was satisfied after enquiry that the manager had not threatened the workman and further stated that the workman was at liberty to make any justifiable and true complaint to any authority but that the workman concerned would be liable to disciplinary action if any false complaint was made. Accordingly, the original transfer of the workman to the surface as trammer which was

made in October, 1964, could not have been due to Chota Parsadi having given adverse evidence against the manager before the Mines Inspector. Ext. 1 is the letter dated 13th October, 1964, addressed by Chota Parsadi to the C.M.E. complaining against his transfer as a surface trammer at Samla Depot, and therein Chota Parsadi stated that when he had made the complaint to the Manager against his transfer the Manager had given him the assurance that he would be sent back to his previous post at Kendra No. 2 pit but that the manager had not kept his word, and therefore the workman had to write to the C.M.E. Ext. 2 is a letter from the C.M.E. dated 20th November, 1964, in reply to Ext. 1, in which the C.M.E. justified the action of the Manager. The conduct of the workman in connection with the enquiry by the Mines Inspector might be the reason why the Management did not ultimately transfer him back as an underground trammer, but the reason for the original transfer must be something different. The Manager of the Colliery Shri K. K. Batra, stated that after Chota Parsadi had been transferred to the surface no underground trammer had been appointed at Kendra in his place. This supports the case of the management in the written statement that there were surplus underground trammers at Kendra colliery and therefore it was necessary to transfer at least one of them. The witnesses for the union and the workman admitted that no copy of the proceedings by which Chota Parsadi was elected as a member of the committee of the new union was sent to the management. There is no evidence from which it can be inferred that because of his taking part in organising the unit of the Colliery Mazdoor Sabha at Kendra colliery the management had any grudge against him. In the circumstances, it cannot be said that the transfer was mala fide.

6. Shri P. Das Gupta, appearing for the union, has referred to Paragraph 17 of the Standing Orders of the company and has argued that while the company is competent to transfer a workman from one department to another in the same mine or from one coal mine to another under the same ownership, it is necessary to see that the wages and other conditions of service should not be altered to the disadvantage of the workman; but in the present case by the transfer of the underground workman to the post of surface trammer he is losing his underground allowance and also losing some benefit by way of earned leave. Shri Mukherjee appearing on behalf of the management has however urged that this is not a case of transfer from one department to another, and that all the trammers whether working on the surface or underground belong to one category and should be treated as belonging to one department. He has urged that under the Coal Award the underground allowance is given only to compensate for the extra risk and disadvantages of an underground worker and that if a worker of particular category is transferred from underground to the surface for the same kind of work, he cannot claim that the conditions of service have been altered to his disadvantage. In this connection Shri Mukherjee has referred to paragraphs 336 and 337 of the LAT Decision from the Award in the Colliery Disputes Case. In paragraph 336, the LAT quoted from the observations of the tribunal in paragraph 487 of the Award specifying the risks of the underground workers, viz. "In the first place, the underground worker has got to go down a cage which means that he has to spend sometime and prepare himself before he reaches the workspot. In the second place, he works in surroundings which are decidedly less congenial than those on the surface. In the third place, he is exposed to dangers brought about by others from the consequences of which he may also have to suffer". In the case of the trammers the amount of underground allowance comes to Rs. 1.02, vide paragraph 5 of the rejoinder of the company, as against the total earning of Rs. 27.42 of the surface trammer, i.e. an underground trammer gets an underground allowance of Rs. 1.02 in addition to Rs. 27.42 which the surface trammer gets for 6 days work. This underground allowance, as pointed out by the Colliery Disputes Tribunal and the LAT, is merely a compensation for the disadvantages of the underground workers enumerated above. When such a worker is transferred to work on surface he does not suffer the disadvantages and naturally cannot claim the underground allowance. In the circumstances, I would agree that a workman of a particular category if transferred from the underground to the surface does not really suffer any disadvantage in the conditions of work considered as a whole. I also agree with Shri Mukherjee's contention that the transfer of a trammer from the underground to the surface does not constitute transfer from one department to another. In the circumstances, it cannot be said that the provisions of paragraph 17 of the Standing Orders have been contravened.

7. It should be mentioned that Shri Mukherjee at the commencement of the hearing raised a preliminary objection that the dispute is an individual dispute and not an industrial dispute because the workman concerned was not a member of the union, the Colliery Mazdoor Sabha, at the time when this case was taken up by the union. In the present case, the transfer was made in the second week of October 1964 and the dispute was raised on 18th January, 1965. The Union

proved by production of the membership register, Ext. 9 and the counterfoils of subscriptions, Ext. 10 series, that Chota Parsadi became a member of the union with effect from 2nd May, 1964. His name occurs against Sl. No. 196 in the register of membership, Ext. 9. There is no reason to reject the testimony of the Vice-President of the union on the point which is supported by the entry in the register, Ext. 9 and it must be held, therefore, that Chota Parsadi was a member of the union before his case was taken up by the union and the union, therefore, was competent to represent his case. It is, therefore, not a case of an individual dispute and the preliminary objection must fail.

8. On the merits, however, I hold that the management is competent to transfer a trammer from underground to surface and from surface to the underground according to requirements and this does not constitute transfer from one department to another; and the loss of underground allowance when an underground trammer is transferred to the surface is compensated by other advantages which the surface worker gets. It may be stated here that Chota Parsadi, though he protested against the transfer, joined as surface trammer and is still continuing in the service of the company.

9. My award, therefore, is that the action of the management of Kendra Colliery in transferring Shri Chota Parsadi Paswan, trammer, from the underground to the surface was justified and the workman therefore is not entitled to any relief.

The 12th May, 1967

S. K. SEN,

Presiding Officer.

[No. 6/48/65-LRII.]

S.O. 1902.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2 Calcutta, in the industrial dispute between the employers in relation to the Kendra Colliery of Messrs. Samla Collieries Limited, Post Office Pandaveswar, District Burdwan and their workmen, which was received by the Central Government on the 17th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA.

REFERENCE No. 88 of 1966

PARTIES:

Employers in relation to the Kendra Colliery,

AND

Their workmen

PRESENT:

Shri S. K. Sen.—*Presiding Officer.*

APPEARANCES:

On behalf of the Employers.—Shri S. S. Mukherjee, Advocate.

On behalf of Workmen.—Shri P. Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/117/65-LRII dated 25th February, 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Kendra Colliery of Messrs Samla Collieries Limited and their workmen in respect of the subject matter mentioned in the following schedule:

“Whether the action of the management in placing Sarva Shri Rekhai Jeswara, Timber Ministry and Pemai Chamar, underground loader on the Badi list with effect from the 11th May, 1965 and 18th May, 1965 respectively was justified. If not, to what relief are they entitled?”

2. Rekhai Jeswara was a Timber mistry who began service at Kendra colliery from 1955 and was made permanent in 1956. He went on leave from 5th April to 21st April 1965. He did not however join his duties at Kendra colliery on the expiry of his leave but came back on 10th May, 1965, i.e., after an overstay of 18 days. In the meantime the management warned him by a letter dated 30th April, 1965, Ext. 1, that although his leave had expired he had neither joined his

duty nor sent any leave application and that he was being marked absent for unauthorised leave. A medical certificate purporting to be signed by one Dr. Mukh Ram Singh of Chandesar, Azamgarh stating that Rekhai Jeswara was suffering from dysentery and was recommended absence from duty from 22nd April, 1965 to 7th May, 1965, was received by the management on 3rd May, 1965. When Rekhai Jeswara reported at the colliery, he produced a fitness certificate dated 8th May, 1965, purporting to be granted by Dr. Mukh Ram Singh. The management was not satisfied that he had really been ill and sent him on 10th May, 1965, the date of his arrival, to the Chief Medical Officer of the company, Dr. K. L. Banerjee. Dr. K. L. Banerjee after examining him did not agree that Rekhai Jeswara had recently suffered from dysentery and he reported accordingly to the management. Thereupon the management on 11th May, 1965, served an order, Ext. 3 on Rekhai Jeswara informing him that on account of continuous absence for over 10 days the lien on his permanent service was being terminated and that he was being placed on the badli list.

3. Pemai Chamar was an underground loader employed at Kendra colliery. He has not appeared before the tribunal as a witness. Shri Kalanand Singh, Secretary of the Samla Pandaveswar Branch of the Colliery Mazdoor Sabha stated in his evidence on 10th May 1967 that he had received a letter from Pemai Chamar 4 days back stating that Pemai Chamar was lying ill at home. But Shri Singh could not give the name of the village or the Post office or even the district to which Pemai Chamar belongs and he did not also produce the letter which he is supposed to have received from Pemai. In the circumstances, the explanation as to Pemai Chamar's absence at the hearing before the tribunal cannot be accepted as true. The documents concerning Pemai Chamar filed by the union have however been admitted, formal proof thereof being dispensed with by Shri S. S. Mukherjee, Advocate for the management. Pemai Chamar went on leave from 1st March, 1965 to 17th March, 1965, *vide* the leave application: with the order granting leave, Ext. A1. It appears from the leave application that he had applied for two months' leave from 22nd February, 1965 to 22nd April, 1965 but the colliery office reported that only 15 days' leave was due and he was allowed leave from 1st March, 1965 to 17th March, 1965. He failed to join on 18th March, 1965 and actually reported for duty on 18th May, 1965, i.e. just two months after he was due to rejoin on the expiry of the leave granted to him. He sent an application for extension of leave, Ext. B1 which was received at the office of the colliery on 29th March, 1965. Along with the application a medical certificate purporting to be granted by a Vaidya Ram Bhawan Misra was also received. The manager had written a letter on 25th March, 1965 to Pemai Chamar pointing out that he was overstaying his leave without permission and was being marked absent for unauthorised absence, *vide* Ext. 4A. This letter was written before the application for extension of leave Ext. B1 dated 19th April, 1965 was received. On receipt of that letter, the manager sent another letter by registered post to Pemai Chamar, Ext. 5A dated 30th March, 1965, rejecting the application for extension of leave. Pemai Chamar sent another application for extension of leave till 15th May, 1965 which was received at the colliery office on 11th May, 1965 *vide* Ext. D1. When on 18th May, 1965 Pemai Chamar reported for duty at the colliery, he was sent to the Chief Medical Officer for examination. The Chief Medical Officer, Dr. Banerjee, was not satisfied that Pemai Chamar had recently been suffering from bronchitis, fever and amoebic dysentery and he reported accordingly to the management. The management on the same day, 18th May, 1965, passed an order Ext. 6A terminating the lien of Pemai Chamar on his permanent service and placing him on the badli list.

4. The Vice-President of the Colliery Mazdoor Sabha, Raniganj raised a dispute concerning the termination of permanent service of these two workmen by a letter dated 17th June, 1965, which reached the office of the Conciliation Officer on 23rd June, 1965. There was however no settlement arrived at before the Conciliation Officer.

5. According to the case of the union, Rekhai Jeswara and Pemai Chamar were taking active interest in organising the unit of the Colliery Mazdoor Sabha at Kendra and therefore incurred the displeasure of the management, and the management, therefore, took advantage of their overstaying leave to put them on the badli list and terminated their permanent service. Such action on the part of the management without any proceedings was characterised as illegal and *malafide*. The union prayed that the two workmen should be reinstated in their original permanent posts and given back wages for the period of unemployment.

6. According to the case of the management, there was no victimisation of the two workmen for trade union activities. The management gave letters of warning to each of the workmen when they failed to return on the due dates after

the expiry of their leave and had no intention at all of dispensing with their services but wanted that the workmen should report in time to their jobs; and as both the workmen overstayed their leave, without obtaining extension of leave, for more than 10 days, the management was entitled under the Standing Orders to terminate their lien on permanent service and to place them on the badli list. The management also stated that though the workmen did not report for badli duty after being placed on badli list, the management was still prepared to give badli jobs to both the workmen. This was in reply to the union's contention that after being placed on badli list, the workmen were not being given jobs even as badli workers.

7. The facts in the case are not challenged, namely that Rekhai Jeswara overstayed the leave granted to him by 18 days and Pemai Chamar overstayed the leave granted to him by 2 months. Each of them sent medical certificates from their villages in support of their applications for extension of leave, but the certificates were granted by a homoeopath viz., one Mukh Ram Singh in the case of Rekhai Jeswara and a Vaidya in the case of Pemai Chamar, and moreover neither Mukh Ram Singh nor the Vaidya was called as a witness to prove the certificates granted by them and to establish that the workmen really had been suffering from illness. In the circumstances, the evidence of Dr. K. L. Banerjee, Chief Medical Officer of Samla Collieries Limited stands unchallenged, that he examined Rekhai Jeswara on 10th May, 1965, to find out whether there was any indication of his having recently suffered from dysentery and found no such symptom and that in the case of Pemai Chamar he examined him on 18th May, 1965, to find out that there was no indication to show that the man was recently suffering from fever and bronchitis and amoebic dysentery and found no such indication. The manager who deposed as a witness, stated that he acted on the opinion of the Chief Medical Officer, and being satisfied that the reason given for overstay by each of the workman was false, he put the workman concerned on badli list. Under paragraph 10 clause (f) of the Standing Orders, if a workman overstays his leave, the company becomes entitled to terminate lien on his permanent service unless the man appears within 10 days of the expiry of the leave and satisfies the management that the unauthorised absence was caused by sufficient reason. Shri P. Das Gupta has urged that this provision as to termination of lien and placing on the badli list should be taken along with paragraph 18 clause (n) of the Standing Orders which provides that absence without leave for over 10 days amounts to misconduct; and he has therefore urged that without proceedings for the misconduct the company could not terminate the lien on permanent service and place the workman on badli list. I must hold however that the powers of action of the company under paragraph 10(f) of the Standing Orders are not limited in any way by the fact that absence for over 10 days without leave is also misconduct and that the company may draw up proceedings for such absence and may punish the workman concerned by suspension or dismissal. I must hold that the action of the management in placing each of the workmen on the badli list was justified in the circumstances. It may be mentioned that each of the workmen accepted the order of being placed on the badli list though under protest. Ext. 6 is the letter from Rekhai Jeswara wherein he accepted the order placing him on the badli list under protest and Ext. 7A is a letter dated 23rd May, 1965, from Pemai Chamar wherein he also accepted the order placing him on the badli list under protest.

8. Shri Das Gupta has urged that the acceptance of the order placing the workmen on the badli list was made under protest and at the same time the workmen moved the Conciliation Officer through their union for being reinstated in their permanent service. I must agree that the acceptance of the order placing the workmen on the badli list being made under protest, it cannot debar the workmen from agitating the validity of that order before the tribunal. In view of the circumstances however and in view of the terms of paragraph 10(f) of the Standing Orders already referred to, I must hold that the order placing the workmen on the badli list was valid one.

9. Shri Das Gupta has also raised the point that after being placed on the badli list very little badli work was given to these workmen; Rekhai was not given any job and Pemai was given such work for a few days only. It appears from the correspondence produced in the case however that after they had been placed on the badli list, the workmen were not in a cooperative mood. So far as Rekhai Jeswara is concerned, this appears from letters Exts. 4, 5, 7 and 8. By Ext. 4 dated 14th May, 1965, Rekhai complained that he was not being given badli work. The reply of the manager is Ext. 7 dated 18th May, 1965, wherein the manager stated that Rekhai had failed to turn up for badli work. This is also supported by the evidence of the manager before the tribunal, that Rekhai Jeswara, came

for work on one morning after being put on the badli list, and he was asked to come for the second shift beginning at 4 P.M. but did not turn up at that time and did not turn up on any other day. It also appears from the endorsement on the letter, Ext. 7, that when it was tendered by Peon to Rekhai Jeswara he refused to accept the same and so the letter had to be sent by registered post. In the letter, Ext. 8 dated 2nd June, 1965, Rekhai Jeswara stated that he was asked to put his thumb impression on a piece of white paper when he went for badli work and as he protested he was not given any work. The reply of the manager is Ext. G. dated 14th June, 1965, wherein the manager stated that he had ascertained after enquiry that Rekhai Jeswara had never been asked to put his thumb impression on a piece of blank paper before being given any badli job.

10. As regards Pemai Chamar the evidence of the manager is that he was given jobs for a few days and thereafter he did not turn up. In this case also the correspondence shows want of cooperation on the part of the workman. Thus, in Ext. 10A dated 25th June, 1965, Pemai Chamar stated that he had reported for duty on the first shift but he was stopped from doing work. In the reply, Ext. 11A dated 30th June, 1965, the manager replied that the allegations in the letter dated 25th June, 1965, are not correct and that the workman had been asked to come to No. 2 pit as there was no need for a loader at No. 3 pit but the workman did not go to No. 2 pit. Other letters in the same strain are Ext. 12A from Pemai Chamar dated 6th July, 1965 and Ext. 13A from the manager dated 19th July, 1965. On both these letters there are endorsement stating that as the other party refused to accept the letter when tendered by hand, the letter was being sent by registered post.

11. It may be pointed out however that the question whether they are being provided with regular work after being placed in the badli list is not included within the terms of reference. The reference only raises the question whether the action of the management in placing the workmen on the badli list was justified. Since however the management have stated in their written statement that they are willing to provide both the workmen with badli work if they turn up for jobs like any other badli worker, I would add a rider that the management should do so.

12. My award, therefore, is that the action of the management of Kendra colliery in placing Shri Rekhai Jeswara, Timber Mistry and Shri Pemai Chamar, underground loader on the badli list with effect from 11th May, 1965, and 18th May, 1965, respectively was justified and the workmen are not entitled to an order for reinstatement in their old posts; but they should be given badli work if they turn up for jobs at the pit top like other badli workers.

The 16th May, 1967.

S. K. SEN,

Presiding Officer

[No. 6/117/65-LRII.]

New Delhi, the 22nd May 1967

S.O. 1903.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2 Calcutta, in the industrial dispute between the employers in relation to the Kendra Colliery, Post Office Pandaveswar, District Burdwan and their workmen, which was received by the Central Government on the 17th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, CALCUTTA.

REFERENCE No. 31 of 1966

PARTIES:

Employers in relation to Kendra Colliery,

AND

Their workmen.

PRESENT:

Shri S. K. Sen—*Presiding Officer.*

APPEARANCES:

Or behalf of Employers—Shri S. K. Mukherjee, Advocate.

Or behalf of Workmen—Shri P. Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines

AWARD

By Order No. 6/49/65-LR II, dated 14th May, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Kendra Colliery of Messrs Samla Collieries Limited and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the action of the management of Kendra Colliery in giving their workman Shri Kaila Pasman only hard jobs as Badli worker is justified? If not, to what relief is the workman entitled?"

2. According to the case of the union, Kaila Pasman was working at Kendra colliery from 1954, but had an attack of Tuberculosis in the early part of 1963 and was sent to a hospital under the Coal Mines Welfare Organisation for treatment. He received treatment as an outdoor patient until 16th June, 1964 when he was advised by the hospital authorities to resume his duty. With the outdoor patients' ticket containing the advice endorsed on it, Kaila Pasman approached the management of the colliery on 29th June, 1964 requesting that light work be given to him. The management by letter dated 30th June 1964 informed Kaila Pasman that he had been placed in the badli list but could not be given light work. Kaila Pasman agreed to do work as a badli workman and he was given some work during July 1964, but from the first week of August 1964 he was not given any more work even as a badli workman. He wrote on 11th August, 1964 to the management requesting that he should be given some work but no reply was received from the management. Thereafter the union on 29th January, 1965 sent a report to the Conciliation Officer requesting that the workman might be given relief, but there was no agreed settlement before the Conciliation Officer.

3. According to the management, Kaila Pasman was employed for the first time as underground general mazdoor and bailing mazdoor from 1st October, 1956 and after a long break of service, again from 1st July, 1962; that from 14th March, 1963 Kaila Pasman was suffering from T.B. and stayed away from work until 29th June, 1964 when he brought a certificate of fitness from the T.B. clinic, Searsole and also requested for light job; that as Kaila Pasman was away from work for over one year, he was placed on badli list, but as a badli worker he could only be offered whatever work was available in the absence of a permanent worker and he could not be given light work regularly. According to the management, further, work was offered to him as badli worker for some time and Kaila Pasman did such work but thereafter he absented himself and did not turn up for badli work.

4. On behalf of the union, the evidence of the Union Secretary Shri Kalanand Singh who was examined in Ref. Case No. 44 of 1966 has been treated as evidence in this case also by agreement, and further Kaila Pasman has deposed himself. The management produced certain documents which were marked on admission and did not examine any witness. Accordingly, the evidence of Kaila Pasman as tested by cross examination remains unchallenged. According to him, he started work as a boy, as a picking mazdoor in 1954; in 1961 he started work underground as a bailing mazdoor but in March 1963 he got T.B. and was under treatment at Searsole T.B. Hospital for nearly 15 months. It must be held that he was a permanent worker in March 1963 when he had to be away for nearly 15 months on account of T.B. Ext. A is a certificate by Dr. Kanai L. Banerjee, Chief Medical Officer, Samla Collieries Limited dated 24th June, 1964 stating that Kaila Pasman has been advised by the T.B. Clinic, Searsole to resume duty from 16th June 1964 and that Dr. Banerjee confirmed the certificate of the T.B. clinic and agreed that he might be allowed to resume his duty. Ext. B is the letter in Hindi dated 29th June 1964 from Kaila Pasman to the Agent of the Colliery. Therein he asked for light work and he mentioned certain categories of work to which he might be put, e.g. surface trammer, Pump Khalasi and so on. Ext. 2 is the reply of the Manager Samla Collieries Ltd., dated 30th June, 1964. Therein he stated that as

Kaila Pasman had been absent for well over a year his name was placed in the badli list and that he should contact the pit top office to ascertain the availability of job and that he could not be offered light work.

5. Shri P. Das Gupta appearing for the union has urged that the management had no right thus to put him on the badli list and terminate the lien on his permanent service without holding an enquiry. It appears however that paragraph 10 clause (f) of the Standing Orders mentions that if a workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose lien on his appointment unless (a) he returns within ten days of expiry of his leave and (b) explains to the satisfaction of the manager his inability to return on the expiry of his leave; and that in case the workman lose his lien on the appointment, he shall be entitled 'to be kept on the "badli list"'. Kaila Pasman claimed that during the 15 months of his treatment at Searsole T.B. hospital, he was on leave, but he has not been able to produce any document in support of that statement. He admitted further that sick khoraki and travelling allowance for going to Searsole T.B. hospital from his quarters at Kendra colliery and returning to his quarters was paid to him only for one month. Ext. 1 is a letter from the C.M.O. Samia Collieries to the Medical Officer of Searsole T.B. clinic, dated 12th May, 1964. Therein Dr. Banerjee, C.M.O. stated that the bearer of the letter, Kaila Pasman, was a destitute as his sick khoraki has been stopped and that he might be admitted at the T.B. clinic if possible. Paragraph 10 clause (c) of the Standing Orders provides that any workman who has completed the period of 12 months continuous service shall be entitled to sick leave at half pay for 14 days in a year. The notes to clause (c) provide that where immediately before the coming into force of the Standing Orders a workman was being paid sick khoraki for more than 14 days in a year he would continue to be paid for the period in excess of 14 days at the same rate, and that the worker would not be entitled to sick leave in addition to sick khoraki. It would appear, therefore, that when his sick khoraki and allowance for going and coming from hospital was stopped, the company was no longer treating him as on leave, even though no written order was passed to that effect. He had been absent for more than one year and the company was therefore entitled to terminate the lien on his permanent service and place him on badli list. For this no proceeding was necessary. Shri Das Gupta has urged that being absent without leave for more than 10 days is also defined as mis-conduct in the Standing Orders and therefore if it was a case of misconduct the company ought to have drawn up proceedings and held an enquiry. In this case however it was clearly not a case of misconduct because the workman was suffering from T.B. during the period and the company was completely aware of that position. Accordingly, instead of treating the absence as misconduct, the company acted under clause (f) of Paragraph 10 of the Standing Orders and it cannot be said that the action of the company was unjustified. Moreover, under the terms of the Reference the only question is whether the giving of hard jobs as a badli worker to Kaila Pasman was unjustified. The question whether he was rightly treated as a badli worker by the company is not a question referred to the tribunal.

6 As to the kind of job given to Kaila Pasman as a badli worker, there is again the evidence of Kaila Pasman who said that as badli worker he was given work as Boxing mazdoor for some days, as underground trammer for some days and as underground line cool for some days. The work of a boxing mazdoor being carrying wooden props, it must be deemed to be a hard job. In cross examination he admitted that he was given work as surface trammer for two days in July 1964 and thereafter he was given the work as underground trammer for 12 days and was also put to work as boxing mazdoor and that in all he got 21 days' work as badli worker and thereafter did not get any further work. Work as a surface trammer is one that the workman himself specified in his letter, Ext. B, as a type of work which he was prepared to do, and cannot be considered as a hard job. But work as an underground trammer was a hard job. It appears that Kaila Pasman at one stage refused to take up work as a boxing mazdoor, the work being heavy work. This appears from a letter, Ext. 3, dated 1st July, 1964 from the Manager of the Colliery addressed to him to place on record the fact that Kaila Pasman had been offered work as a prop mazdoor on that day but that he refused to accept that work. Shri Mukherjee has urged that the company was not bound to give light work to him as a badli worker and could only give whatever kind of work was available for a badli workman owing to the absence of permanent worker. This might be generally true, but when a workman had come back after 15 months' treatment for T.B., for some time at least the company might have shown some consideration and given light work. As regards the company's case that after working for about a month as a badli

worker, Kaila Pasman himself failed to turn up for work, it has not been supported by any evidence. Kaila Pasman himself stated that after he had worked for 21 days he was not given any further work. From the failure report of the Conciliation Officer it appears that before the Conciliation Officer, the company's representative stated that Kaila was given badli work for some days and that after that he himself left the colliery and that the management was still prepared to consider his case sympathetically and continue his employment as a badli worker. If Kaila Pasman left the colliery after working for some time as badli worker it would appear that this was because he was offered work which was too heavy for him or he was not offered work, as stated by himself, and in the circumstances the management should be directed to do what they represented themselves as prepared to do before the Conciliation Officer, i.e. to continue to give employment to Kaila Pasman as a badli worker. Shri Mukherjee has urged that this is also beyond the terms of the reference. But, in my opinion it does come within the terms of reference because if the management was not justified in giving hard jobs to Kaila Pasman as a badli worker immediately after he had returned from a course of treatment for T.B., and the worker left on that ground, the workman is entitled to the relief of being allowed to work at present as a badli worker.

7 My award, therefore, is that the management of Kendra Colliery gave hard jobs to Kaila Pasman as a badli worker and this was not justified, although it is not correct to state that he was given only hard jobs, and I direct that Kaila Pasman be maintained on the badli list at the colliery and given such badli work as may be available and that he be given the right of a workman on badli list to obtain a permanent job when there is a suitable vacancy.

The 12th May 1967

S K SEN,
Presiding Officer
[No 6/49/65 LR.II.]

S.O. 1904.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, No 2 Calcutta, in the industrial dispute between the employers in relation to the Kendra Colliery Post Office, Pandaveswar, District Burdwan and their workmen, which was received by the Central Government on the 17th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO 2, CALCUTTA
REFERENCE NO 69 OF 1966

PARTIES:

Employers in relation to the Kendra Colliery
AND
Their workmen

PRESENT:

Shri S K Sen—*Presiding Officer.*

APPEARANCES

On behalf of Employers—Shri S S Mukherjee, Advocate
On behalf of Workmen—Shri P. Das Gupta, Advocate

STATE West Bengal

INDUSTRY Coal Mines

AWARD

By Order No 6/92/64-LR-II dated 20th November 1965 the Central Government referred for adjudication an industrial dispute in relation to Kendra Colliery of Messrs Samla Collieries Limited and their workmen arising out of suspension by the management of a workman named Shri Sahadeb Chamar, Underground Loader for two days only.

2 According to the case of the union the Colliery Mazdoor Sabha the workman Sahadeb Chamar took some part in organising the union the Colliery Mazdoor Sabha at Kendra Colliery, but the management did not recognise this union and was hostile to the members who took an important part in organising the union. Sahadeb Chamar was elected as the Assistant Secretary of the Committee of this union at Kendra and the office of the unit of the union was also located at his quarters at the colliery. The case of the union is that in order to victimise the workman Sahadeb Chamar, the management started a false case alleging that on

23rd March 1964 Sahadeb Chamar abused the Manager when the Manager was inspecting the bungalow of an Assistant Manager Shri S. K. Sinha. The workman Sahadeb Chamar sent a reply denying the allegations. But an enquiry was held on 25th May 1964 and at the enquiry the management did not allow the workman proper opportunity to defend his case through his union official, and then without justification suspended him for two days, namely 2nd and 3rd June 1964. The union moved the Conciliation Officer by a letter dated 1st June 1964, Ext. 10, but it appears that the Conciliation Officer did not receive that letter, and a second letter was issued by the Vice-President, Colliery Mazdoor Sabha which was received by the Conciliation Officer on 1st August 1964. The Conciliation Officer thereafter heard both parties but could not make an amicable settlement.

3. According to the management, the proceedings started against Sahadeb Chamar had nothing to do with his being a member of an unrecognised union at Kendra, but on 23rd March 1964 he mis-behaved with the manager and abused him when he was inspecting a bungalow of an Assistant Manager and further when the manager on the same day, 23rd March 1964, sent a letter to Sahadeb Chamar asking him to show cause, Sahadeb Chamar refused to accept the letter which was sought to be delivered through a peon, and accordingly for abusing the manager and for refusing to accept a letter from the peon, he was charge-sheeted on 31st March 1964. The explanation of the workman not being considered satisfactory, notice of enquiry was given twice. Originally the date for enquiry was fixed as 22nd May 1964. On that day the workman appeared with a letter requesting that Dinesh Singh or Robin Chatterjee might be allowed to help him at the enquiry. The enquiring officer, namely the Labour Welfare Officer, Shri Srivastava, passed an order on the application stating that the workman might produce a co-worker to assist him. Thereafter the workman Sahadeb Chamar went away ostensibly to bring Dinesh Singh but he never came back to the office of the enquiry officer on that day. Accordingly a second notice was issued fixing 25th May 1964 for enquiry. On that day Sahadeb Chamar appeared and he was present when the case was opened and the manager, Shri K. K. Batra, gave his evidence; but when asked to cross examine he went away saying that he would not take part in the proceedings, apparently because Dinesh Singh had not been given leave by his department to enable him to come and help the workman at the enquiry. Thereafter the enquiry was concluded *ex-parte*, and the charges being found proved the manager dealt with him leniently, passing a sentence of suspension for two days only.

4. For such a petty case the union ought not to have raised a dispute at all. The union might have been better advised if it had asked the workman concerned to apologise to the manager and settle the matter amicably. The union apparently wanted to prove that all along that the management was out to crush the new communist union. A letter in Hindi with the date 23rd March 1964, Ext. 5, with the thumb impression of Sahadeb Chamar was forwarded to the C.M.E. wherein it was alleged that on 23rd March 1964 when he had gone to the Manager to get his signature on the Store Issue Slip for Baskets and Belchias at the chanak or pit top, the manager asked him to leave the Laljhanda union, and when Sahadeb Chamar refused to leave the union in any case, the manager threatened him and abused him. The C.M.E. in due course sent a reply, vide Ext. 4 dated 11th April 1964 stating that he had made an inquiry and found that the complaint was without any basis; and that on the other hand, on 23rd March 1964, the workman had misbehaved with the Manager at the Assistant Manager's bungalow. The workman refused to receive from the peon the manager's letter, Ext. A dated 23rd March 1964, asking him to show cause for misbehaving with the manager when he was inspecting the bungalow of the Assistant Manager and also for abusing the manager. The charge-sheet, Ext. 1, was also not received by hand but it had to be sent by registered post. It is admitted however that the charge-sheet was received by the workman and a reply, Ext. 3, was sent on 5th April 1965. It is also admitted that the two notices fixing the date of enquiry namely Ext. 7 and Ext. 7A, were also duly received by the workman. Shri Das Gupta appearing for the union, has urged that the enquiry was vitiated because although the enquiring officer passed an order on 22nd May 1964 on the workman's petition that a co-worker might be allowed to assist the workman at the enquiry, Dinesh Singh who was a co-workman at the colliery at the time was not actually released by his department on the date of enquiry, although the workman concerned made such a prayer addressed to the Manager, Kendra Colliery by his letter, Ext. 8 B dated 25th May 1964. It should be mentioned however that according to the evidence of the workman, Sahadeb Chamar, before the tribunal, Sahadeb Chamar asserted that he appeared before the Labour Officer only on one day in connection with the enquiry and not on two days. Even in cross-examination he asserted that he was called for the enquiry on one day only. He denied the suggestion put in cross examination that on 22nd May, the enquiry could not be held as Dinesh Singh could not appear, and

that thereafter the enquiry was held on 25th May and that Sahadeb Chamar actually appeared on that day. It must be held that Sahadeb Chamar was not speaking the truth because the documents in the case filed on his own behalf go to show that he must have attended on two days. Thus the letter Ext. 8 of which the original is Ext. C, goes to show that the application for permitting Dinesh Singh or the Vice-President of the union, Robin Chatterjee, to assist him at the enquiry was presented before the Enquiry Officer on 22nd May 1964 and the enquiry officer recorded on Ext. C the order that a co-worker might be allowed for assistance. Next, the letter, Ext. 8B dated 25th May which appears to have received by the management in the morning of that day with the request to release Dinesh Singh to enable him to be present at the enquiry at 3.30 P.M. on that day, goes to show that Sahadeb Chamar had the intention of appearing at the enquiry at 3.30 P.M. on 25th May 1964. Accordingly the notes in the enquiry proceedings, Ext. B, made by the enquiring officer that Sahadeb Chamar appeared at the enquiry and was present during the examination of the manager, K. K. Batra but thereafter went away saying that he would not take part in the proceedings any more, must be accepted as correct. Shri Das Gupta pointed out that the manager, K. K. Batra, who deposed for the management stated that Sahadeb Chamar was present throughout the enquiry. That appears to be a mistake, because the note in the enquiry proceedings, Ext. B that Sahadeb Chamar went away after the examination of the manager and thereafter the enquiry was completed *ex-parte* must be preferred as the contemporaneous record. Moreover, that is the case for the management in the written statement also. Because of the aforesaid statement made by the manager before the tribunal, Shri Das Gupta has urged that this shows the grudge on the part of the manager against the workman concerned. The manager might have a feeling of displeasure against the workman concerned if the workman had abused him and complained to the C.M.E. against him but that would not show that the proceedings at the domestic enquiry was not fairly conducted. I do not think that the non-production of Dinesh Singh at the enquiry really vitiated the enquiry. The manager gave evidence that when he was at the Assistant Manager's bungalow and was about to go in for inspecting the same, the workmen Sahadeb Chamar came with other workmen to ask him to sign a Store Issue slip and became violent and abused him when he said that he would go to the pit top after 10/15 minutes and there he would sign the Slip after inspection the old baskets, etc. That evidence could not have been shaken in cross examination even with the assistance of Dinesh Singh because that was the case of the manager all along. Even apart from the enquiry, the manager has deposed before the Tribunal narrating the incidents which took place and there is no reason to reject his evidence. Accordingly, there is no reason to interfere with the punishment of only two days' suspension which was passed on Sahadeb Chamar in this case.

5. My award, therefore, is that the suspension by the management of Kendra Colliery of their workman Shri Sahadeb Chamar, Underground loader, for two days, namely 2nd June and 3rd June 1964 was not an act of victimisation and therefore the workman is not entitled to any relief.

The 15th May, 1967.

Sd/- S. K. SEN,
Presiding Officer
[No. 6/92/64-LRIL.]

New Delhi, the 24th May 1967

S.O. 1905.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2 Calcutta, in the industrial dispute between the employers in relation to the Babisole Colliery, Post Office Ondal, District, Burdwan and their workmen, which was received by the Central Government on the 17th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA.

REFERENCE No. 51 of 1966

PARTIES:

Employers in relation to the Babisole Colliery,
AND
Their workmen.

PRESENT:

Shri S. K. Sen.—Presiding Officer.

APPEARANCES:

On behalf of the Employers—Shri B. Lall, Labour Officer.
On behalf of Workmen.—Shri P. Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/14/65-LRII dated 17th September, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Babisole Colliery and their workmen in respect of the subject matter mentioned in the following schedule:

- "(1) Whether the dismissal of Shri Ram Kewal Bhar, Timber Mistry of Babisole Colliery with effect from the 10th October, 1964 was justified?
- (2) If not, to what relief is the workman entitled?"

2. Ram Kewal Bhar was a Timber Mistry of Babisole colliery in service from 1959 till 15th September, 1964, after which he was chargesheeted and ultimately dismissed. A branch of the Colliery Mazdoor Sabha, Asansol, was opened at Babisole colliery in March, 1964, and Ram Kewal Bhar took a prominent part and became Asstt. Secretary of the Committee. The case of the union on behalf of the workman is that being displeased with his union activities, the management vindictively chargesheeted him with false charges on 15th September, 1964, and 17th September, 1964, and that the enquiry held by the Welfare Officer was not a valid enquiry because on the date of enquiry the Labour Officer merely abused the workman, Ram Kewal Bhar and sent him away, and no enquiry was held in his presence.

3. According to the case of the management, Ram Kewal Bhar on 15th September, 1964, threatened and abused the manager of the colliery at the general office of the mine at about 7-30 A.M., as the manager insisted on the strict observance of the provisions of the Mines Act. Therefore a chargesheet was drawn up on 15th September, 1964, and was tendered to Ram Kewal Bhar by peon, but Ram Kewal refused to accept the same and the chargesheet had to be sent by registered post, a copy thereof being also pasted up on the notice Board of the colliery office. On 15th September, 1964, at mid-night i.e., about the time of the beginning of the 3rd Shift, Ram Kewal Bhar with another workman Muni Mislr collected a mob of workers at the pit top, Ram Kewal holding an iron crow-bar in his hand, and he threatened to assault the manager with the crow-bar unless the chargesheet against him was withdrawn, and he wrongfully entered into the mine, and even though asked by the overman incharge to stop work and go out of the mine, he refused to do so and remained in the mine up to the end of the shift i.e., upto 8 A.M. of 16th September, 1964. Accordingly, another chargesheet was drawn up against the workman on 17th September, 1964, and sent to him by registered post. The workman submitted his explanation by two letters dated 21st September, 1964. A notice of enquiry was issued to the workman on 23rd September, 1964, fixing 26th September, 1964, for enquiry, but the workman did not turn up and the acknowledgement receipt which came back indicated that it had been received after 26th September, 1964, by the workman. Accordingly a fresh notice was issued on 29th September, 1964 fixing 4th October, 1964, as the date of enquiry. On 4th October, 1964, Shri S. K. Singh, Labour Welfare Officer held the enquiry as directed by the Director in charge, but the workman Ram Kewal Bhar did not appear on that day; and after examining 8 witnesses the enquiry officer found that the charges in both the chargesheets were proved. Thereafter with the approval of the Director in charge, the manager issued order of dismissal dated 10th October, 1964. The management's order was passed after proper enquiry for misconduct committed by the workman and it was not at all true that the proceedings had been started vindictively in order to get rid of the workmen for organising a Laljhanda union at the colliery.

4. Ext. 2 and 2(a) are the chargesheets. Ext. 3 and 3(a) are copies of the replies sent to the management by the workman. Ext. 4 dated 23rd September, 1964, is the notice that the enquiry would be held on 26th September, 1964. Ext. 5 is a copy of letter from the workman informing the management that he received the notice after 26th September, 1964. Ext. 7 is the fresh notice dated 29th September, 1964, and Ext. 7(a) is the correction of a mistake which occurred therein. It is not suggested that these notices were not duly received. The case turns on the question whether the enquiry was properly held. The union produced a copy of the letter written by Ram Kewal Bhar on 5th October, 1964, addressed to the manager (Ext. 8) wherein he stated that he went before the Enquiring Officer on 4th October, 1964, at 4-30 P.M., the notified time of the enquiry, but the Labour Officer only asked him to put his thumb impression on a plain paper and on his refusal he was abused and threatened and asked to go away. The workman Ram Kewal Bhar repeated this version in his deposition before the Tribunal. It appears that the management received this letter Ext. 8; Ext. 10

is the letter from the Manager dated 15th October, 1964, acknowledging the letter of 5th October, 1964, and stating that the allegations contained therein are false. In the circumstances, it was necessary that the Labour Welfare Officer against whom the allegations were made in Ext. 8 should have come personally to prove that he did not send away Ram Kewal Bhar on the date of enquiry on the latter's refusal to put his thumb impression on a piece of blank paper. As it is, only Shri A. B. Mukherjee, the Personnel Officer deposed for the management, and stated that the Labour Officer Shri S. K. Singh had left the service of the Company and was not available; he proved the hand writing of Shri S. K. Singh, the enquiring officer in the proceedings, but he admitted that he was not present at the time of enquiry. He has no knowledge of what happened at the time of the enquiry, though he record shows that it was held *ex-parte* as the delinquent workman did not turn up. The manager, Shri K. N. Choudhury, was the main witness at the domestic inquiry; but the manager also did not appear before the tribunal and Shri Mukherjee stated that the manager also left the service of the company.

5. That being so it must be held that there is no legal evidence before the tribunal that the proceedings were properly conducted. There is also no evidence before the tribunal supporting the charges on which the order of dismissal was passed. In the circumstances, I must hold that the order of dismissal cannot be up-held.

6. Accordingly, my award is that the management has failed to show that the dismissal of Shri Ram Kewal Bhar, Timber Mistry, Babisole Colliery with effect from 10th October, 1964, was justified. I therefore direct that the workman be reinstated within a month from the publication of the award and that from 10th October, 1964, until the date of reinstatement, he be paid at the rate of half of his total remuneration.

The 15th May, 1967.

S. K. SEN,
Presiding Officer.

[No. 6/14/65-LRII.]

S.O. 1906.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2 Calcutta, in the industrial dispute between the employers in relation to the Babisole Colliery, Post Office Andal and their workmen, which was received by the Central Government on the 19th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2. CALCUTTA

REFERENCE No. 11 of 1966

PARTIES:

Employers in relation to Babisole Colliery.

AND

Their workmen

PRESENT:

Shri S. K. Sen—Presiding Officer.

APPEARANCES:

On behalf of Employers.—Shri B. Lal, Labour Adviser.

On behalf of Workmen.—Shri P. Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/119/64-LR-II dated 16th March 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Babisole Colliery and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the management of Babisole Colliery were justified in retrenching 13 tramners mentioned in the Annexure? If not, to what relief are they entitled?"

ANNEXURE:

Name of trammers.

1. Shri Jogeswar Koiri.
2. Shri Bhagwati Din.
3. Shri Subaklal Mondal.
4. Shri Bishan Deo.
5. Shri Ramajore.
6. Shri Ramoo Bhuiya.
7. Shri Rajbalam.
8. Shri Kanhaiya.
9. Shri Nakul Singh.
10. Shri Motlilal Yadav
11. Shri Nabani Roy.
12. Shri Ajodhya Paswan.
13. Shri Ram Behari".

2. It should be mentioned that the 13 trammers were retrenched with effect from 8th November, 1964. On 18th February 1965 they were given notices under Rule 78 of the Industrial Dispute (Central) Rules inviting them to rejoin work in their previous category by 4th March 1965. According to the written statement of the management and according to the admission of the workmen examined in the case all the 13 workmen were taken back as trammers, in accordance with that notice. The dispute has therefore largely become academic. Shri P. Das Gupta appearing for the union has however urged that they were taken back as new employees and that they have therefore lost the benefit of their old service. According to the seniority statement, Ext. B, filed by the management, it appears that 12 of these trammers had completed 12 months' service only and one namely Ram Behari had been in service for only 8 months and a half before the retrenchment. Therefore, it cannot be said that the workmen have lost much by losing the benefit of their old services. The points urged however by the two sides in connection with the dispute must be considered.

3. The case of the union, the Colliery Mazdoor Sabha, is that when a branch of the colliery Mazdoor Sabha, Asansol, was stated at Babisole, the management did not recognise the union and looked upon the workmen who joined the new union with disfavour, and that in order to victimise such workers the management retrenched or laid off many workmen during 1964. Out of the 13 trammers 12 were served with notice dated 8th October 1964 that they would be retrenched with effect from 8th November 1964 and one trammer, namely Ram Behari was given such notice of retrenchment on 29th October 1964, but all were retrenched with effect from 8th November 1964. According to the union, the retrenchment was unjustified and illegal and amounted to unfair labour practice and was in contravention of the Industrial Disputes Act.

4. According to the management the retrenchment was made in strict accordance with the provisions of the Industrial Disputes Act and the rules thereunder, and such retrenchment was necessitated by the circumstances which developed at the colliery. Most of the coal raising at the colliery was done according to the management by the open cast method, i.e. by removing the overburden with the help of heavy imported machinery and thus exposing the coal seam and then doing quarry mining in the exposed seam. But about the middle of 1964, owing to the paucity of spare parts, the machinery broke down frequently and the management decided to resort to the method of driving galleries underground, and for this purpose the management obtained coal cutting machines and acquired and installed the requisite haulage machinery. From the quarry the coal was raised by blasting and then loading the coal into tubs which was done by quarry loaders. The quarry loaders were offered alternative appointment as pick miners and as they first refused to work as pick miners, many of them were laid off with effect from 4th November 1964, but after a week or 10 days they agreed to work as pick miners and they were re-employed as pick miners. Until the underground galleries had progressed to a certain extent there was not much scope for work of trammers because the mining of coal from the quarry decreased substantially. Accordingly, 13 trammers who were quarry trammers had to be retrenched with effect from 8th November 1964 and they were given one month's notice, except Ram Behari who had not completed one year's service, and as soon as production increased occasioning fresh appointment of trammers, the retrenched workmen were offered re-employment and they all accepted re-employment as trammers.

5. On behalf of the union the service of the notice, Ext. 1 series, 12 of them dated 8th October 1964 and one dated 29th October 1964 informing the workmen that they would be retrenched with effect from 8th November 1964 are admitted. It was however suggested by the union Secretary, Shri Sunil Sen, that these trammers were not the junior-most trammers and that their selection for retrenchment was vindictive. But the management produced the seniority list of trammers, Ext. B, showing 74 names of trammers and the 13 trammers who were retrenched appear therein to be the junior most trammers. The list has been challenged by suggesting that it was not prepared at the time of the retrenchment but was subsequently fabricated for the purpose of the case before the tribunal. This suggestion has been denied by the Personnel Officer of the company, Shri A. B. Mukherjee who deposed as a witness for the management. It also appears from the failure report received along with the order of reference that before the Conciliation Officer also the management's representative stated that these 13 trammers were junior-most in their category and they were served with notices of retrenchment after preparing a seniority list. Thus the seniority list was mentioned even though it may not have been produced before the Conciliation officer. I do not find any reason to hold that the seniority list was not prepared at the time; the company appears to have acted in this respect in strict compliance with the provisions of the Industrial Disputes Act.

6. It was also suggested by Shri Das Gupta that the retrenched workmen were not offered compensation under the provisions of Sec. 25F of the Industrial Disputes Act. But the notice, Ext. 1 series, asked the workmen concerned to collect their dues from the office of the colliery on or before 8th November 1964 and there is reference in the notice to Sec. 25F of the Industries Disputes Act. It must be held, therefore, that the compensation was included in the dues mentioned with reference to Sec. 25F of the Act in this notice. It may be mentioned that before the Conciliation Officer, this objection was not raised by the union. Shri Mukherjee has stated that notice was also sent to the Government about the retrenchment. Thus, it appears that all the provisions of Sec. 25F had been complied with and there is no reason to hold that the retrenchment was not done in accordance with the law.

7. Shri P. Das Gupta has urged that even if Sec. 25F was complied with, there was really no need for retrenchment at the time and that about the time when these trammers were being retrenched the management had asked for permission to recruit a number of C.R.O. workers from Gorakhpur. Shri Sunil Sen stated that the management asked for permission to recruit as many as 500 C.R.O. workers, but the enclosure to Ext. 5 which is a letter received by the Colliery Mazdoor Sabha, Asansol from the Coal Mines Welfare Commissioner, Dhanbad, relating to supplementary Memorandum No. 13 shows that the management of Babisole colliery had asked for permission to open a new Miners' hostel to accommodate 100 miners and to recruit 100 Gorakhpuris through C.R.O. Shri A. B. Mukherjee stated that he knew nothing about this application for recruiting 100 Gorakhpuri workers, which appears to have been made in October-November 1964. But Shri Mukherjee stated that when the quarry loaders accepted work as pick miners, they were inefficient in the beginning as they were not practiced in the work as pick miners, and as the company was switching over to a new method of raising coal by driving underground galleries whereas the company was previously chiefly doing quarry mining by blasting after removal of the overburden by machinery, it is possible that the company felt the need of hardy workers to do the coal cutting for mining coal. This has nothing to do with the question of trammers having become surplus for a period, i.e., when the company was switching over to the new system. Before the new system of raising coal from the underground by driving galleries had got into its stride it is natural that there should be less work for trammers. Shri Mukherjee produced extracts from monthly reports of raising sent to the Mines Department showing that raising of coal at Babisole dropped substantially from April and May 1964 to September 1964 and that something like the previous figure was reached again only in February 1965, vide the extracts from the monthly reports, Ext. A and A1. This goes to support the evidence of Shri Mukherjee that they had no need for the extra trammers until February 1965.

8. Shri Das Gupta has finally urged that the company should have anticipated that they would have need for all the trammers after a certain period and in the circumstances the workmen should have been laid off and not retrenched. As to this argument however, I may point out that Sec. 25C provides that it shall be lawful for the employers in a case of lay off to retrench the workmen in accordance with the provisions of Sec. 25F at any time after the expiry of the first 45 days of the lay off. It would appear, therefore, that lay off provisions are normally resorted to when the period of lay off is expected to be 45 days or less, and that when

the period of lay off exceeds 45 days, the employer even in a case where he initially laid off some workers becomes entitle to retrench them. In the present case, the company did not expect that there would be sufficient development in driving underground galleries so as to make the services of the 13 excess trammers necessary within a period of 45 days. In fact, they were recalled to duty after more than 3 months. In the circumstances, it cannot be said that the company should have resorted to lay off rather than retrenchment.

9. My award is that the management of Babisole Colliery were justified in retrenching the 13 trammers mentioned in the Reference Order and that the trammers who have all been re-employed are not entitled to any further relief.

The 15th May, 1967.

S. K. SEN,
Presiding Officer.

[No. 6/119/64-LRII.]

New Delhi, the 26th May 1967

S.O. 1907.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Andhra Pradesh, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Kothagudium (Andhra Pradesh) and their workmen, which was received by the Central Government on the 19th May, 1967.

**BEFORE THE INDUSTRIAL TRIBUNAL (C), ANDHRA PRADESH,
HYDERABAD**

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal,
Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 36 OF 1966

BETWEEN:

Workmen of Singareni Collieries Co. Ltd., Kothagudium.

AND

The Management, Singareni Collieries Co. Ltd., Kothagudium.

APPEARANCES:

Messrs. N. Komariah, General Secretary, Singareni Collieries Workers' Union, and Raj Bahadur Gour—for the workmen.

Sri N. V. Ramakrishna Rao, Asstt. Personnel Officer, S.C. Company Ltd., Kothagudium—for the Management.

AWARD

The Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) had, by order No. 8/19/65-LRII, dated 14th June 1966, referred this case to me for adjudication. The issue as per Schedule annexed to the Notification is this:—

Considering the existence of a single scale of pay for the junior and senior trained Nurses employed in the Andhra Pradesh Government Service and the similarity of work performed by the junior and senior trained Nurses employed in the Main Hospital of the Singareni Collieries Company Ltd., Kothagudium, whether there is any justification for a lower scale of pay to the former.

If not, what should be the scale of pay for the vernacular mission trained Nurses of the hospital who are termed as junior trained Nurses?

It will be noticed that the issue assumes three facts. Firstly, it assumes that there are two grades among trained nurses, viz., junior and senior, employed in the Andhra Pradesh Government Service. Secondly, it further assumes that the scale of pay for the above mentioned two categories of nurses is the same. Thirdly, it assumes that the work performed by the junior and senior trained nurses employed in the Main Hospital of the Company at Kothagudium is the same. So far as concerns the nursing employees at the Main Hospital of the Company at Kothagudium, there are admittedly two categories, viz., the senior trained nurses and the junior trained nurses. It will be noticed that in the second part of the issue the junior trained nurses are also referred to as vernacular trained nurses. The senior trained nurses are those who are English trained

nurses. The senior trained nurses are in the two scales of pay, that being Rs. 70—158 and Rs. 75—134. The female junior trained nurses are in the pay scale of Rs. 48—100.

2. The claimants in this case are the female junior trained nurses, i.e., vernacular (Telugu) trained nurses. Their claim is that they should be placed in the category of Rs. 75—134 with retrospective effect from 26th May 1956, that being the date from which the Recommendations of Mazumdar Award were implemented by the Coal Industry. The contention of the claimants is that there is no real difference in the nature of the duties performed by the English Trained Nurses and the vernacular trained nurses. It is pointed out that there is no difference in the syllabus and training of the two categories except that the English trained nurses studied their subjects in English and the vernacular trained nurses studied the same subjects in Telugu. Both categories are registered nurses. There is thus said to be discrimination in the matter of pay scales. In the statement of claims pointed attention is drawn to some male nurses who are said to be vernacular trained but who are in the pay scale of Rs. 75—134. This again is said to be discrimination on the ground of sex.

3. The case for the vernacular trained female nurses was taken up by the Workers Union with the Ministry of Labour and Employment of the Government of India. By letter dated 19th July 1963 the Government of India intimated to the General Secretary of the Workers Union that the Government of India do not consider the dispute fit for reference to an Industrial Tribunal for adjudication. The reason given in that letter is that the question of revision of wage structure in the Coal Industry is being looked into by the Wage Board set up by the Government and that the said Board had recommended interim increase in wages. The Workers Union did not allow the matter to rest with that communication from the Government of India. It persisted with the matter, and, doing so, it claimed that there was a single scale of pay for the junior and senior trained nurses in the employ of the Andhra Pradesh Government. In making this claim the Workers Union had obviously relied upon letter dated 15th December 1962 from the Director General, Medical and Health Services, Hyderabad, to the Chief Surgeon and Medical Officer, Singareni Collieries Company Ltd., Kothagudum. It is stated in that letter that the Government of Hyderabad was employing vernacular trained nurses and that if their professional knowledge as well as knowledge of English was good, and if they were registered as nurses, they were employed in the same grade in which the higher grade nurses were employed, viz., 75—165. After that the Government of India made the reference in this case, and it would seem that is how the issue was cast as per annexure to the Notification importing that there is a single scale of pay for the junior and senior trained nurses employed in the Andhra Pradesh Government Service. But that would not be a correct statement of fact. I would presently advert to that question while discussing the evidence.

4. The Management filed counter. A preliminary objection is taken to say that having refused to refer the dispute for adjudication by its letter dated 19th July 1963 the Government of India was barred from referring the same subsequently. That being so, it is stated that the reference was not competent. Dealing with the merits of the case it is stated that the pay scales of the senior and junior trained nurses employed in the Main Hospital of the Company at Kothagudum have been prescribed by the Coal Award, that the recommendations of the said Award have been implemented and that therefore any reference to the pay scales of nurses in the employ of the Government of Andhra Pradesh is not relevant. It is pointed out that, even so, the Government of Andhra Pradesh employs only English trained nurses and that therefore any question does not arise of the pay scales of the senior trained nurses in the employ of the said Government being the same as of any junior trained nurses there. It is also pointed out that the assumption in the issue as per reference that the work performed by the junior and senior trained nurses in the Main Hospital at Kothagudum is similar is not correct. It is explained that the duties performed by these two categories of nurses are not similar, in that the English trained nurses perform higher duties than those performed by the vernacular trained nurses and the degree of skill and proficiency between them is also different. Lastly, it is pointed out that the interim increase in pay granted by the Wage Board on Coal Industry that is now sitting has been implemented by the Management. It is stated that if however the claimants claim that they are not getting pay scales or interim relief as enjoyed by the Majumdar Award or as granted by the Wage Board now sitting, the proper remedy for them was to apply under Section 33(c) of the Industrial Disputes Act and not to raise an industrial dispute about it that calls for adjudication by an Industrial Tribunal.

5. Two witnesses were examined for the workmen. W.W. 1 is Shantamma. She is one of the vernacular trained nurses. She is one of the claimants. One witness was examined on the side of the Management. He is Dr. M. Munuswamy. He is the Chief Surgeon and Medical Officer of the Company at Kothagudlum. Exs. W 1 to W 8 were marked on the side of the claimants. Exs. M 1 to M 15 were marked on the side of the Management. I will refer to the relevant documents on both sides during the course of discussion.

6. I will first dispose of the preliminary objection raised by the Management that the reference was not competent. This contention is based on the fact that by its letter Ex. M 6 dated 19th July 1963 the Government of India had at first declined to make a reference with regard to the nurses. Ex. M6 is the same as Ex. W 3. Mr. Ramkrishna Rao the Assistant Personnel Officer contended that having once decided not to make a reference for adjudication, it was not competent for the Government of India to change its opinion later and to make this reference in respect of the same subject. I do not agree with the argument advanced by Mr. Ramkrishna Rao. To refer a dispute for adjudication or to decline so to do is within the discretion of the appropriate Government. It is an administrative act. The appropriate Government can, after reappraisal of the circumstances, revise its earlier opinion and make a reference in respect of a dispute which it had earlier considered not a fit case to refer. In the instant case the Government of India could refer the dispute for adjudication revising its earlier opinion in respect thereof, although the merits of the claim advanced by the claimants would be a different consideration altogether.

7. The case for the claimants was argued by Mr. Raj Bahadur Gour. At the inception of his argument he submitted that the case of the claimants is not one of non-implementation of the Coal Award in respect of junior trained female nurses, they being the claimants in this case. He also submitted that he was not claiming parity with the English trained Nurses who are in the grade of Rs 70—158. He claims parity for the claimants with the other senior trained category of nurses who are in the pay scale of Rs. 75—134. He advanced two grounds for that. The first ground is that the qualifications and the nature of work is the same. The second ground is that there are some male nurses who being vernacular trained like the claimants, are in the pay scale of Rs. 75—134. Any pretence to comparison with the nursing staff in the employ of the Government of Andhra Pradesh is dropped, viz., that two categories of junior and senior trained nurses obtain there or that they have one scale of pay. On enquiry made by M.W. 1 Dr. Munuswamy, Miss Sequeira, Assistant Director of Medical Services (Nursing) Andhra Pradesh, Hyderabad, replied by Ex. M7 dated 15th May 1963 that the Department had stopped appointing lower grade nurses. Until such stoppage there were two grades of nurses, higher and lower grade. Miss Sequeira added in her letter that "it is not possible to give the same scale of pay to these categories of nurses as there is a definite difference in the type of training, and even the registration is different". Having regard to situation that thus obtained in respect of nursing staff in the employ of the Government of Andhra Pradesh even from prior to 15th May 1963, there was of course no question of the claimants advancing their claim here, such as it is, on the analogy of what is said to obtain in the service of the Government of Andhra Pradesh. If this alone was the point for consideration, then the reference could straightaway be answered against the claimants. But Mr. Raj Bahadur Gour relies upon the contention that the vernacular trained female nurses who are in the pay scale of Rs. 48—100 have the same training, skill and qualification as the senior trained nurses who are in the scale of Rs. 75—134, and that therefore not to give the same pay scale to the claimants would amount to discrimination. He also relies upon the contention that there is discrimination on the ground of sex because there are some vernacular trained male nurses in the pay scale of Rs. 75—134.

8 I will first consider the claim to parity with senior trained nurses in the pay scale of Rs. 75—134 on the ground of similarity of skill, efficiency and qualification. W.W. 1, Shantamma, is a vernacular trained nurse. She mentioned the names of vernacular trained female nurses in the pay scale of Rs. 48—100 working in the Main Hospital at Kothagudlum similarly situate as herself. They are Vijavamma, Mrs. Mathews, Elizabeth Raju, Chandra Leela, Annamma, Grace Manoharam and Unnis Joseph. She filed Exs. W 1 W 1 (a), W 1 (b) and W 1 (C) which are her certificates showing that she is a Telugu trained nurse and also a registered nurse. She explained the expression 'Telugu trained' to mean that the syllabus was in Telugu and that the examinations were written in Telugu. As to what is meant by the expression 'English trained' the witness said that English trained nurses read the syllabus in English and wrote their examinations in English. But she would say that whether that is done in Telugu or in English.

the syllabus is the same, the subjects are the same and the nature of the training is the same. The witness said in her cross-examination that he and the other vernacular trained female nurses do only nursing duties and that they do not do any supervisory duties. W.W. 2, G. Ramchander, who is a compounder in the E.S.I. Dispensary, Chikkadpalli, and who is in the employ of the Medical Department of Government of Andhra Pradesh, said that there is no difference in the duties performed by Telugu trained and English trained nurses. This sweeping statement of W.W. 2 cannot be accepted. There is the evidence of Dr. Munuswamy (M.W. 1) who is the Chief Surgeon and Medical Officer of the Company at Kothagudlum. Before he joined the service of the Company he was professor of Surgery and Superintendent, Government Hospital, Guntur. He had joined the service of the Company in September 1962 on deputation. He retired from Government Service on 1st July 1963, and thereafter he continued in the service of the Company. The testimony given by the witness is this. Junior trained nurses are vernacular trained. The senior trained nurses are English trained. The senior trained nurses should have minimum educational qualification of S.S.L.C. or Matric or its equivalent. They are given training in general nursing for a period of three years and in Gynaecology and Obstetrics for a period of six months, the medium of instruction being English. Ex. M 2 is the rules in respect of it. The junior trained nurses are non-Matrices, and they should have passed the 8th Standard. Their medium of instruction is Telugu. Ex. M 3 is the hand-book published by the Christian Medical Association of India, South India Branch, prescribing the qualifications and the syllabus. Senior trained nurses are given super duties i.e., night supervision duties. The junior trained nurses are not given those duties. Senior trained nurses write reports which are in English. If the vernacular trained nurses want to get into the grade of Rs. 75—134 they must undergo additional training for a period of 18 months and pass an examination. This additional training is in English. The witness added that as between senior trained nurses and junior trained nurses there is difference in responsibility, qualifications and quality of work. Only the senior trained nurses are posted as operation theatre nurses. Only English trained nurses are posted for night super duties and as incharges of wards. The above testimony given by Dr. Munuswamy in his evidence-in-chief has not been gained in cross-examination by Mr. Kumarayya. It was suggested to him that all English trained nurses are in the grade of Rs. 70—158. The witness said that it was not so and that some of them are in the grade of Rs. 75—134. Quite clearly the claim of the claimant vernacular trained nurses who are in the grade of Rs. 48—100 to parity with senior trained nurses in the grade of Rs. 75—134 cannot be sustained because, as stated by M.W. 1, there is difference in responsibilities, qualifications and quality of work as between the junior trained nurses and senior trained nurses. Such parity can be obtained only after an additional period of training in English as testified by M.W. 1.

9. Next I would deal with the other question, viz., whether there is discrimination on the ground of sex. W.W.1, Shantamma, referred to the instances of Basheer Ahmed, M. Daniel, Brahmanandam and Viswanadham who are in the category of Rs. 75—134. According to the witness, they were not entitled to be in that pay scale having regard to their qualifications. The argument of Mr. Gour is that if these male nurses could be in the pay scale of Rs. 75—134, the claimants, who are vernacular trained female nurses, could also be placed in that pay scale, and that not to do so would amount to discrimination. W.W.1 said in her cross-examination that she did not know if Brahmanandam had a compounder's certificate. With regard to Basheer Ahmed Khan and Viswanadham the witness said that any of them do not possess any additional qualifications, presumably meaning that their qualifications are not in any way superior to the qualifications of the vernacular trained female nurses. M.W.1 Dr. Munuswamy gave evidence with regard to these male nurses. Ex. M10, dated 20th December 1950 is the order appointing Viswanadham as male nurse. Ex. M11, dated 20th October, 1951 is the order appointing M. Daniel as male nurse. Ex. M12, dated 16th June, 1954 is the order appointing Brahmanandam as male nurse. The witness could not produce the order appointing Basheer Ahmed Khan as male nurse. There is another male nurse M. Susai. Ex. M13, dated 17th January, 1951 is the order appointing him as male nurse. Ex. M14, dated 8th April, 1956 is military nursing diploma awarded to M. Susai by the Military Authorities. M.W.1 said in cross-examination that M. Daniel also is army trained nurse. W.W.1 herself admitted that Brahmanandam has a compounder's certificate besides being a registered Telugu nurse. The appointments of the male nurses referred to was prior to the Coal Award in the then pay scale of Rs. (O.S.) 60—100. Following the implementation of the Coal Award these male nurses came to be placed in the pay scale of Rs. 75—134. The vernacular trained nurses were in the pre-Award grade of Rs. (O.S.) 40—100.

Now they are in the grade of Rs. 48—100 following the implementation of the recommendations of the Award. I had earlier drawn attention to what had been submitted by Mr. Raj Bahadur Gour that it is not being complained that the Coal Award in respect of vernacular trained female nurses had not been implemented. The question of parity with those who are in the pay scale of Rs. 75—134 does not arise because there is no question of discrimination. The pre-Award pay scale of the male nurses under mention when they were appointed was higher than the pre-Award pay scale into which the vernacular trained female nurses were fitted. It is not complained that the present scale of Rs. 48—100 in which vernacular trained female nurses are is not in accordance with the recommendations of the Coal Award. There is difference in the nature of work and responsibilities and degree of skill between those who are in the grade of Rs. 75—134 and those who are in the grade of Rs. 48—100.

10. And, moreover, as testified to by Dr. Munuswamy, some of those who are in the grade of Rs. 75—134 are English trained nurses. That being so, that claim of the claimant nurses to parity with the nurses in the grade of Rs. 75—134 would amount to claiming parity with even the English trained nurses. Such a claim would be out of question. If vernacular trained nurses in the grade of Rs. 48—100 wish to claim parity with the higher grade nurses, then they have to undergo a course of additional training which would be in English. I am clear that there is no case of discrimination as against the claimant nurses.

11. As I had pointed out earlier, any pretence to sustaining the claim on the analogy of the nursing staff in the Medical Department of Government of Andhra Pradesh has been given up. It has been clearly brought out in the evidence that the junior and senior trained nurses employed in the Main Hospital of the Company at Kothagudiam do not do similar work. There are differences in duties and responsibilities, although broadly speaking it could be said that the junior trained nurses do nursing duties. There is justification for a lower scale of pay for Telugu trained nurses, i.e., vernacular trained nurses. The Wage Board on Coal Industry is currently holding sittings. It had given interim relief in wages and pay. Its report has to be awaited. Meanwhile the position as now obtains would continue to remain. There is no justification for interceding in this behalf in favour of the claimant-nurses.

Award passed accordingly.

Given under my hand and the seal of the Tribunal, this the 4th day of May, 1967.

M. NAJMUDDIN,
Industrial Tribunal.

APPENDIX OF EVIDENCE

Witnesses examined for:

Workmen:

W.W.1: T. Shanthamma.

W.W.2: G. Ramchander.

Employers:

M.W.1: M. M. Munuswamy.

Documents exhibited for Workmen

- Ex. W1: Certificate dated 6th November, 1961 issued by the Christian Medical Association of India to Mrs. Shanthamma in Medical Training 7 surgical nursing.
- Ex. W1(a): Certificate dated 15th May, 1942 issued by the Chairman, Board of examiners for Midwives in practical midwifery course in Telugu, to Shanthamma.
- Ex. W1(b): Certificate dated 15th February, 1943 issued by the President of the Madras Nurses and Midwives Council to Shanthamma in nurses training in Telugu.
- Ex. W1(c): Another certificate dated 15th February 1943 issued by the Madras Nurses and Midwives Council to Shanthamma in nurses training in Telugu.
- Ex. W2: Letter dated 29th June, 1963 of Conciliation Officer (C) Secunderabad, addressed to the Chief Labour Commissioner, New Delhi, regarding failure of conciliation proceedings.
- Ex. W3: Letter dated 19th July, 1963 of Under Secretary to Government of India, Ministry of Labour and Employment addressed to the General Manager, S.C. Co. Ltd., and General Secretary, S.C. Workers Union,

Kothagudium, regarding non-implementation of award in respect of nurses.

- Ex. W4 : Letter dated 19th September, 1963 of Under Secretary to Government of India, Ministry of Labour and Employment addressed to the President S.C. Collieries Workers Union regarding non-implementation of award in respect of nurses in the Main Hospital of the company.
- Ex. W5 : Letter dated 27th November, 1965 of Under Secretary to Government of India, Ministry of Labour and Employment addressed to the President S.C. Collieries Workers Union regarding non-implementation of award in respect of nurses in the Main Hospital of the company.
- Ex. W6 : Letter dated 6th December, 1965 of the General Secretary of S.C. Workers Union Addressed to the Additional Secretary to Government Ministry of Labour and Employment, Government of India requesting for adjudication of the dispute.
- Ex. W7 : Letter dated 15th December 1962 of the Inspector General of Medical and Health Services, Hyderabad, addressed to the Chief Surgeon and Medical Officer, S.C. Co. Ltd., Kothagudium, regarding nursing staff.
- Ex. W8 : Copy of the G.O.Ms. No. 1935, Health, dated 9th September, 1965 on the subject of Branch III Nursing—Lower Grade Mission Trained Nurses transferred as Auxiliary Nurse Midwives—Reabsorptions Nurses.

Documents exhibited for Employers

- Ex. M1 : Wage Schedule of the Singareni Collieries Co. Ltd.
- Ex. M2 : Rules for the training of nurses in Government Hospitals in Andhra Pradesh.
- Ex. M3 : Hand Book for the Schools of Nursing for Nursing Examination.
- Ex. M4 : Grades system as per category submitted by the S.C. Co. Ltd.
- Ex. M5 : Letter dated 24th September, 1960 of the Management of S.C. Co. Ltd. addressed to the S.C. Workers Union regarding non-implementation of Award in respect of Nurses at Main Hospital.
- Ex. M6 : Letter dated 19th July, 1963 of Under Secretary to Government of India, Ministry of Labour and Employment addressed to the Management and the Union regarding non-implementation of nurses in the Main Hospital.
- Ex. M7 : Letter dated 15th May, 1963 of the Assistant Director of Medical Services, Hyderabad, addressed to the Chief Medical Officer, S.C. Co. Ltd., regarding non-eligibility of promotion to lower grade nurses.
- Ex. M8 : Copy of the G.O. Ms. No. 2325, Health, dated 18th October, 1966 regarding temporary posts of lower grade nurses.
- Ex. M9 : Instruction for filling the application form.
- Ex. M10 : Appointment Order dated 20th December, 1950 of Management issued to the Viswanathan.
- Ex. M11 : Appointment Order dated 20th October, 1951 issued by the Management to Mr. Daniel appointing him as male nurse.
- Ex. M12 : Appointment Order dated 16th June, 1954 issued to Paramanandam appointing him as Male Nurse.
- Ex. M13 : Appointment Order dated 17th January, 1951 issued to Maria Susai appointing as Male Nurse.
- Ex. M14 : Military Nursing Diploma issued by D.M.S. in India to Maria Susai.
- Ex. M15 : Statement showing the grades of nurses in the Medical Department of the S.C. Company Ltd., Kothagadum.

M. NAIMUDDIN,
Industrial Tribunal.

New Delhi, the 27th May 1967

S.O. 1908.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2, Calcutta, in the industrial dispute between the employers in relation to the East Satgram Colliery. (Post Office J. K. Nagar, District Burdwan, West Bengal) and their workmen, which was received by the Central Government on the 25th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE NO. 54 OF 1966 .

PARTIES:

Employers in relation to the East Satgram Colliery,

AND

Their workmen.

PRESENT:

Shri S. K. Sen, Presiding Officer.

APPEARANCES:

On behalf of Employers—Shri S. S. Mukherjee, Advocate.

On behalf of Workmen—Shri N. R. Roy, Advocate.

STATE: *West Bengal.*

INDUSTRY: Coal Mines.

AWARD

By an Order No. 6/26/65-LRII dated 28th September 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to East Satgram Colliery, P.O. J. K. Nagar, Distt. Burdwan, and their workmen arising out of the transfer of Shri Ramji Singh, Overman from East Satgram Colliery to North Brook Colliery.

2. The Colliery Mazdoor Union representing the workman did not file an written statement in spite of repeated notices and on the date of hearing, 20th May 1967, Shri N. R. Roy, appearing for the union, stated that he had no instruction. It appears from the papers produced by the management that on the date of Reference, 28th September 1965, no dispute in fact existed. On 5th December 1964, the management passed an order transferring Shri Ramji Singh, Overman, from East Satgram Colliery to North Brook Colliery and transferring Shri Shiv Shankar Ghose Overman, from North Brook Colliery to East Satgram Colliery. Both of them were directed to join in their new posts on 7th December 1964. Ramji Singh submitted an application for leave from 7th December 1964 to 16th December 1964 for preparing for Second Class Examination and he stated in his application that he would join his new post after the examination. He actually did so and worked until 8th July 1965 when he submitted a letter of resignation requesting the management to release him as he had got a better chance elsewhere. The management agreed to release him and on 12th July 1965, Ramji Singh not only received his legal dues but one month's extra wages was paid to him as *ex-gratia* payment. The stamped receipts for the payment were signed by Ramji Singh himself. In the circumstances, it is clear that on 28th September 1965, the date of Reference order there could no longer be any dispute.

3. My award in the case, therefore, is that there is no dispute in respect of the subject matter referred for adjudication.

Dated, 20th May, 1967.

(Sd.) S. K. SEN,
Presiding Officer.

[No 6/26/65-LRII.]

S.O. 1909.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Andhra Pradesh, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Kothagudium, and their workmen, which was received by the Central Government on the 24th May, 1967.

BEFORE THE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH, HYDERABAD

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal (C), Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 28 of 1966

BETWEEN

Workmen of Singareni Collieries Company Limited, Kothagudium.

AND

Employers of Singareni Collieries Co. Limited, Kothagudium.

AWARD

The Government of India in its Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) had, by order No. 7/1/66-LRII, dated 20th April 1966, referred this dispute to me for adjudication. The issue as per Schedule annexed to the Notification is this:—

Having regard to the terms of paragraph 6 of the Award of the Central Government Industrial Tribunal, Dhanbad (Reference No. 27 of 1960), whether the action of the Management of Singareni Collieries Company Limited in not placing the Munshies in Grade II of Coal Award is justified?

If not, to what relief are the workmen entitled?

2. The Singareni Collieries Workers Union, Kothagudium is party to the reference through its General Secretary. The statement of claims is filed by and under the signature of Mr. M. Komariah the General Secretary of the said Union. The Management filed counter. When the dispute came up for enquiry on 9th May 1967, both sides filed petition requesting adjournment and stating therein that avenues of settlement were being explored. Thereupon I posted the case to 6th July 1967 for reporting settlement or for enquiry. Now today, i.e., 17th May 1967, a Memorandum of Settlement dated 13th May 1967 is received by post. It is signed by Mr. B. G. Pradhan, Deputy General Manager, and by Mr. N. Bhaskara Chary, Chief Personnel Officer, representing the Management. Mr. M. Komariah the General Secretary of the Union and Mr. V. Rajeswararao signed as representatives of the workmen. It is also attested by the witnesses, Mr. M. V. Ramakrishnarao and Mr. Ch. U. B. Jaibhanudu. In the last paragraph of the Memorandum of Settlement as well as in the covering letter, which is signed by Mr. Komariah and by Mr. Pradhan, it is requested that an award may be passed in terms of the settlement. I have perused the terms of settlement. I am satisfied that it is fair between the parties.

3. Award is herewith passed in terms of the Memorandum of Settlement dated 13th May 1967, a copy whereof is appended hereto.

Given under my hand and the seal of the Tribunal, this the 17th day of May 1967.

M. NAJMUDDIN,
Industrial Tribunal.

Memorandum of Settlement arrived at in I.D. No. 28 of 1966 between the Management of the Singareni Collieries Co. Ltd., and their workmen represented by the Singareni Collieries Workers' Union under the Industrial Disputes Act, 1947, on 13th May, 1967, in the office of the Dy. General Manager, Singareni Collieries Co. Ltd., Kothagudum Collieries.

Names of Parties:

Representing Management.

(Singareni Collieries Co. Ltd., Kothagudum).

1. SRI B. G. PRADHAN,
Dy. General Manager.
2. SRI N. BHASKARACHARY,
Chief Personnel Officer.

Representing Workmen:

(Singareni Collieries Workers' Union, Kothagudum).

1. SRI M. KOMARAI AH,
General Secretary.
2. SRI V. RAJESWAR RAO,
Joint Secretary.

Short recital of the case.—The General Secretary of the Singareni Collieries Workers' Union by his letter No. GS/GEN/1248/65, dated 11th August 1965 and subsequent letter dated 20th November 1965, raised an industrial dispute regarding the alleged improper implementation of the Coal Award in respect of Munshies. This matter was finally taken up for discussion by the Asstt. Labour Commissioner (C), Hyderabad, on the 18th December 1965, when the discussions ended in failure. On receipt of the Failure Report from the Asstt. Labour Commissioner (C), the Government of India by their Notification No. 7/1/66-LR.II, dated 20th April, 1966, (S.O. No. 1329) referred this dispute for adjudication to the Central Government Industrial Tribunal, Hyderabad, on the following terms:—

"Having regard to the terms of paragraph 6 of the Award of the Central Government Industrial Tribunal, Dhanbad (Reference No. 27 of 1960), whether the action of the Management of Singareni Collieries Company Limited in not placing the Munshies in Grade II of Coal Award is justified?

If not, to what relief are the workmen entitled?"

This case was registered as I.D. No. 28 of 1966 by the said Tribunal. In order to arrive at a mutual settlement discussions were held by the parties on 13th May, 1967, and a settlement was reached mutually on the following terms and conditions.

Terms of Settlement

(1) Having regard to the nature of duties and extent of responsibilities of Munshies in the various Mines, it was agreed that the mines with a production of 15,000 tonnes per month and over should have a Munshi in Grade II, i.e. Rs. 48—3—54—4—70—EB.—5—100. Munshies in all other Mines producing less than 15,000 tonnes per month continuing to remain in the existing grade of Rs. 43—3—64—EB.—3—82.

(2) It is agreed that in assessing the production of 15,000 tonnes per mensem and above, the production from the machine mining sections should be excluded and only the production from the hand-sections should be taken into account.

(3) It is agreed that under paras (1) and (2) above, Munshies at the following eight mines (three in each mine, on the basis of one per shift) would become eligible for the grade of Rs. 48—3—54—4—70—EB.—5—100 on the basis of the present rate of production.

Kothagudum:

- (i) No. 5 Incline.
- (ii) No. 7 Incline.

Yellandu:

- (i) No. 21 Pit Incline.

Belampalli:

- (i) Morgans Pit.
- (ii) No. 2 Incline.
- (iii) Shanti Khani.

Mandamari:

- (i) Kalyan Khani—No. 1 and 4 Incline.

Ramagundam:

- (i) Godavari Khani—No. 1 Incline.

(4) As A.I. No. 2 at Kothagudium is nearing completion and would be closed down shortly, it has been agreed as a special case to allot the grade of Rs. 48-3-54-4-70-EB-5-100 to the Munshies of this Mine. If any vacancies arise in this mine before the mine is eventually closed, the incumbents of these posts will not be eligible for Grade II, i.e. Rs. 48-3-54-4-70-EB-5-100.

(5) If any of the mines in future attain the production of 15,000 tonnes per month, the Management would be free to transfer Munshies who are already in the grade of Rs. 48-3-54-70-EB-5-100 before considering promotion of Munshies from the grade of Rs. 43-3-64-EB-3-82.

(6) The posts of Munshies to which the grade of Rs. 48-3-54-4-70-EB-5-100 is now allotted will be filled up from among the seniors among the Munshies working in all the Collieries whether in Kothagudium group of Mines or Belampalli Group of mines, treating all the Munshies in the grade of Rs. 43-3-64-EB-3-82 as belonging to a single cadre.

(7) The Management agree to allot the revised grade to the Munshies referred to in paras (3) & (4) above with effect from 1st January 1967 and to permit them to draw their next increment with effect from 1st June 1967.

(8) All the claims put forth by the Singareni Collieries Workers' Union in the dispute and the issues raised by them thus stand fully settled.

(9) Both the parties agree to pray the Hon'ble Industrial Tribunal (Central), Hyderabad, to record this settlement of compromise and pass an Award in terms of this settlement.

Names of Parties:

Representing the Management:

1. (Sd.) B. G. PRADHAN.
2. (Sd.) N. BHASKARACHARY.

Witnesses:

1. (Sd.) M. V. RAMAKRISHNA RAO.
2. (Sd.) CH. U. B. JAIBHANUDU.

Dated the 13th May, 1967.

Kothagudium Collieries.

Representing the Workmen:

1. (Sd.) M. KOMARAIAM.
2. (Sd.) V. RAJESWAR RAO.

M. NAJMUDDIN,
Industrial Tribunal.
[No. 7/1/66-LRII.]

ORDERS

(Department of Labour and Employment)

New Delhi, the 22nd May 1967

S.O. 1910.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ramgarh Jharia Colliery, Post Office Karmatand via Mohuda, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

- 1 Whether Shri Mahadeo Singh worked as Night Guard at Ramgarh Jharia Colliery, Post Office Karmatand, District Dhanbad, of Messrs Ramgarh Jharia Colliery Company prior to the 16th October, 1966? If so, to what relief is the workman entitled and from what date?

2. Whether the management of Ramgarh Jharia Colliery, Post Office Karmatand, District Dhanbad, of Messrs Ramgarh Jharia Colliery Company was justified in terminating the services of Shri Mahadeo Singh, Night Guard, with effect from the 18th December, 1966? If not, to what relief is the workman entitled?

[No. 2/59/67-LRII.]

New Delhi, the 24th May 1967

S.O. 1911.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Digwadih Colliery of Tata Iron and Steel Company Limited, Post Office Jealgora (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited in suspending Sarvashri Kamta Choubey, Watchman and Ganga Prasad Singh, Watchman for ten days each with effect from the 3rd December, 1966 and the 18th December, 1966 respectively was an act of victimisation? If so, to what relief are they entitled?

[No. 2/64/67-LRII.]

S.O. 1912.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kendra Colliery, Post Office Pandaveswar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the placing of Shri Jalim Kewat, Underground Loader, in Badli list from the 29th June, 1966 and his subsequent removal from the job from the 23rd January, 1967 by the management of Kendra Colliery were justified? If not, to what relief is the workman entitled?

[No. 6/33/67-LRII.]

S.O. 1913.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sarpi Kajora Colliery, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Sarvashri Neam Harijan and Ram Padarak Ram, M.C. Loaders by the management of Sarpi Kajora Colliery, Post Office Ukhra with effect from the 23rd June, 1966 was justified? If not, to what relief are the workmen entitled?

[No. 6/91/66-LRII.]

S.O. 1914.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Chatrisgonda Colliery of Messrs Samla Collieries Limited, Post Office Pandaveswar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Chatrisgonda Colliery of Messrs Samla Collieries Limited, Post Office Pandaveswar, District Burdwan was justified in terminating the lien of Shri Jugal Panday, Shotfirer Mazdoor and placing him in Badli list with effect from the 6th August, 1966? If not, to what relief is the workman entitled?

[No. 6/103/66-LRII.]

New Delhi, the 25th May 1967

S.O. 1915.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Alkusha Gopalpur Colliery of Messrs Khanna Commercial Corporation (Private) Limited, Post Office Salanpur, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Alkusha Gopalpur Colliery of Messrs Khanna Commercial Corporation (Private) Limited, Post Office Salanpur, District Burdwan was justified in declaring a lock-out from the 29th April, 1967?

If not, to what relief are the workmen entitled?

[No. 1/11/67-LRII-I.]

S.O. 1916.—Whereas by the order of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), No. 1/11/67-LRII I dated the 25th May, 1967 an industrial dispute between the employers in relation to the Alkusha Gopalpur Colliery of Messrs Khanna Commercial Corporation (P) Limited, Post Office Salanpur, District Burdwan and their workmen has been referred to the Industrial Tribunal, Calcutta for adjudication and it is necessary to prohibit the continuance of the lockout/strike in existence in connection with the said dispute;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby prohibits the continuance of the lockout/strike in existence in connection with said dispute in the industrial establishment.

[No. 1/11/67-LR-II-II.]

New Delhi, the 26th May 1967

S.O. 1917.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the 1/12 and 2/12 Inclines of Kendwadih Colliery (Post Kusunda, District Dhanbad) of Messrs East Indian Coal Company Limited and Messrs G. S. Atwal & Company (Asansol) its raising and Selling Agents and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of 1/12 and 2/12 Inclines of Kendwadih Colliery (Post Kusunda, District Dhanbad) of Messrs East Indian Coal Company Limited and Messrs G. S. Atwal & Co., (Asansol) its raising and Selling Agents were justified in rendering idle all the weekly paid workmen excepting the wagon loaders, shale pickers and pump khalasis employed at the inclines referred to above with effect from the 2nd shift of the 7th December, 1966, all wagon loaders and shale pickers with effect from the 23th December, 1966, and the monthly paid workmen whose names are given in Annexure I with effect from the respective dates shown against their names and in subsequently terminating the services of all weekly paid workmen excepting pump khalasis, and all monthly paid workmen excepting those whose names are given in Annexure II with effect from the 7th March, 1967?

ANNEXURE I

Names of the monthly paid workmen who have been rendered idle	Designation	Date from which rendered idle
1. Shri Jagraj Singh Sidhu	Tub Checker.	2nd shift of 7-12-66.
2. Shri Malkit Singh	Do.	Do.
3. Shri Bachhu Prasad Singh	Do.	Do.
4. Shri S. C. Hazra	Do.	Do.
5. Shri Brahmdeo Prasad	Do.	Do.
6. Shri Lakhbir Singh	Do.	Do.
7. Shri N. B. Das	Electrician.	1-1-67.
8. Shri Lachman Mahato	Do.	1-1-67.
9. Shri Soukhi Prasad	Do.	1-1-67.
10. Shri Md. Ibrahim	Fitter.	1-1-67.
11. Shri Gulab Prasad	Loading Clerk.	1-1-67.
12. Shri Sarjit Singh	Incharge.	1-1-67.
13. Shri R. S. Sangha	Do.	1-1-67.
14. Shri Bhagwati Shaw	Mistry.	1-1-67.
15. Shri S. C. Bhowmik	Office Clerk.	1-2-67.
16. Shri R. P. Sinha	Do.	1-2-67.
17. Shri A. S. Chawla	Attendance Clerk.	1-2-67.
18. Shri T. N. Yadav	Do.	1-2-67.
19. Shri K. R. Chatterjee	Do.	1-2-67.

ANNEXURE II

Names of the workmen who are still working	Designation
1. Md. Ibrahim	Fitter.
2. Shri Sarjit Singh	Incharge.
3. Shri R. S. Sangha	Do.
4. Shri Bhagwati Shaw	Mistry working as Peon.
5. Shri N. B. Das	Electrician.
6. Shri G. D. Mukherjee	Bill Clerk.
7. Shri J. K. Chakraborty	Office Superintendent.
8. Shri M. R. Banerjee	Bonus Clerk.
9. Shri Kashmir Singh	Watchman.
10. Shri Tripurari Gonsai	Do.
11. Shri Chakradhari Lal	Do.
12. Shri Shiva Narain Rout	Do.

Name of the workmen who are still working	Designation
13. Shri Bin Bahadur	Watchman.
14. Shri Bir Bahadur.	Do.
15. Shri Kapildeo Singh	Do.
16. Shri Parshu Ram Roy	Do.
17. Shri Gur Bachan Singh	Do.

If not, to what relief are the workmen concerned entitled?

[No. 2(46)/67-LR. II.]

BALWANT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi the 22nd May 1967

S.O. 1918.—Whereas, a vacancy has occurred in the office of the Presiding Officer of the Labour Court at Jaipur, constituted by the notification of the Government of India in the late Ministry of Labour and Employment, No. S.O. 1780, dated the 19th June, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Roshan Lal Mehta as Presiding Officer of the Labour Court constituted as aforesaid.

[No. 1/13/67-LR.-I.]

S.O. 1919.—In exercise of the powers conferred by section 7A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2653 dated the 24th August, 1966, namely:—

In the said notification, the abbreviation and figure “No. 2” shall be omitted.

[No. F. 1/37/67-LRI.]

ORDERS

New Delhi, the 24th May 1967

S.O. 1920.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers specified in Schedule I hereto annexed and their workmen in respect of the matters specified in Schedule II hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE I

1. M/s. V. Patel & Co., Tulsi Tejpal Chawl, Lady Jamshedji Road, Mahim, Bombay-16.
2. M/s. Shri Mohanlal Liladhar Joshi, 89, Bhandarl Street, Bombay-3.
3. M/s. Tulsidas Khimji Pvt. Ltd., 46, Veer Nariman Road, Bombay-1.
4. M/s. Express Transport Pvt. Ltd., Western Indian House, 2nd Floor, Sir P.M. Road, Bombay-1.
5. M/s. Dalal Brothers, 26, Calicut Street, Mehta Bldgs., Fort, Bombay-1.
6. M/s. United Transport, Hague Bldg., Sprott Road, Ballard Estate, Bombay-1.
7. The National Transport & Co. 4th Floor, Mustafa Bldg., Sir P.M. Road, Bombay-1.

8. M/s. Motumal & Co., Ashok Chambers, Broach Street, Dana Bunder, Bombay-1.
9. M/s. Travels & Shipping Pvt. Ltd., Darabshaw House, Ballard Estate, Bombay-1.
10. M/s. Domnic & Company, Buona Casa, 6 Homji Street, Bombay-1.
11. M/s. S. R. Pusalkar & Co., National Seamen's Union Bldg., 4 Goa Street, Ballard Estate, Bombay-1.
12. M/s. Laxmidas Domodardas Shah, 147, Lohar Chawl, Tawawala Bldg., 1st Floor, Room No. 1, Bombay-2.
13. M/s. Chinubhai Kalidass & Bros., 19/21, Hamam Street, Fort, Bombay-1.
14. M/s. Mehta & Patel, 152, Bazar Gate Street, 4th Floor, Fort, Bombay-1.
15. M/s. The Eastern Shipping Agency, Asian Building, Nicol Road, Ballard Estate, Bombay-1.
16. M/s. Vishwanath R. Raut & Co., 8, King Lane, Bora bazar Street, Bombay-1.
17. M/s. Mehta Ramkrishna & Co. Ltd., 166, Khandelwal Bhavan, Dr. D. N. Road, Bombay-1.
18. M/s. D. H. Patkar & Co., 6, Nazir Bldg., Calicut Street, Bombay (Ballard Estate).
19. M/s. V. V. Dabke, CHA 11/130, Custom Shed, New Custom Shed, Ballard Estate, Bombay-1.
20. M/s. Khimji Poonja & Co., (Clearing Deptt.), 18/21, Dalal Street, Fort, Bombay-1.
21. M/s. R. J. Barsiwalla & Co., New Customs Anneks, 2nd Floor, Bombay-1.
22. M/s. Jeena & Company, 10, Veer Nariman Road, Fort, Bombay-1.
23. M/s. Lee & Muirhead (Ind) Pvt. Ltd., 12, Rampart Row, Bombay-1.
24. M/s. Dadabhoy Hormusjee & Sons Ltd., 30, Imperial Chambers, Ballard Estate, Fort, Bombay-1.
25. M/s. Overseas Trading Company, 232, Dr. Dadabhoy Naoroji Road, Fort, Bombay-1.
26. M/s. C. Doctor & Co. Pvt. Ltd., 11, Bruce Street, Bombay-1.
27. M/s. V. H. Sanghavi, 67/69, Mohammedali Road, Bombay-3.
28. M/s. Ishverlal Madanlal & Co., Wakefield House, Sprott Road, Ballara Estate, Bombay-1.
29. M/s. Pandurang Bhagwan Sadanand Pandurang D. Takkar, 9A, Hamal Wadi, Dhobi Talao, Bombay-2. (Custom House Agents 11/105).
30. M/s. Shroff & Co., Alice Bldg., Dr. D. N. Road, Bombay-1.
31. M/s. Sylvester & Co., 10, Custom House Road, Bombay-1.
32. M/s. Shri Hemraj Madan, 7, Keshvji Naik Road, Bombay-9.
33. M/s. Narayan Bhau & Son, C/o. Mackenzie & Co. Pvt. Ltd., General Trade Deptt., Ballard Estate, Bombay-1.
34. M/s. Associated Transport Company, Sheel Chambers, 1st Floor, 10, Cawasji Street, Off S.P.M. Road, Fort, Bombay-1.
35. M/s. Amritlal Vasanji, 1st Floor, Manhar Bldg., 70, Dadyaheth Agiary Lane, Bombay-2.
36. M/s. Trivedi & Company, 8, Nazir Bldg., Calicut Street, Ballard Estate, Bombay-1.
37. M/s. K. M. Parikh & Co., General Assurance Bldg., 3rd Floor, 232, Dadabhoy Naoroji Road, Fort, Bombay-1.
38. M/s. N. G. Manjrekar & Co., Agripada Chawl Street, B.I.T. Chawl, Block No. 7, 1st Floor, Bombay-11.
39. M/s. M. Gulabdas & Co., Bharat House, 104, Apollo Street, Fort, Bombay-1.
40. M/s. Odharam Bulchand & Co., 19, Bank Street, Fort, Bombay-1.
41. M/s. Manilal Ratel & Co., 38, Cawasji Patel Street, Bombay-1.
42. M/s. E. Mathias, 14, Hamam Street, Bombay-1.
43. M/s. Airfreight Pvt. Ltd., Neville House, Ground Floor, Nicol Road, Ballard Estate, Bombay-1.

44. M/s. Narayan Singh & Co., Mehta Building, 26, Calicut Street, Bombay-1.
45. M/s. D. M. Mehta & Bros., 18, Karwar Street, Ida Mansion, Fort, Bombay-1.
46. M/s. The Universal Traffic Co., Motachoy Building, Meadows Street, Bombay-1.
47. M/s. S. D. Engineer & Son, Imperial Chambers, Wilson Road, Ballard Estate, Fort, Bombay-1.
48. M/s. B. C. Buhariwala & Sons, 5, Graham Road, Ballard Estate, Bombay-1.
49. M/s. Quick Clearing Agency, 285, Frere Road, Fort, Bombay-1.
50. M/s. Bhagat & Company, 19, Nazir Bldg., Calicut Street, Bombay-1.
51. M/s. Bharat Shipping Agency Pvt. Ltd., Ida Mansion, 18, Karwar Street, Ballard Estate, Bombay-1.
52. M/s. M. C. Gupta & Sons, 12, Calicut Street, Ballard Estate, Bombay-1.
53. M/s. H. S. Cox & Co. Pvt. Ltd., 52, Forbes Street, Fort, Bombay-1.
54. M/s. Kimatram & Sons, 9, Shewa Niketan, Pinjari Lane, Bombay-3.
55. M/s. Safeset Agencies, (CHA 11/292), Jehangir Bldg., 133, M. Gandhi Road, Bombay-1.
56. M/s. Purshotamdas Madhavani & Co. Pvt. Ltd., 8, Horniman Circle, Botawala Bldg., Bombay-1.
57. M/s. Nathumal Navalrai, Nazir Bldg., 1st Floor, Room No. 2, Ballard Estate, Bombay-1.
58. M/s. N. S. Guzder & Co. Pvt. Ltd., Neville House, Ballard Estate, Bombay-1.
59. M/s. Kashinath & Co., New Custom House, Ballard Estate, Bombay-1.
60. M/s. A. M. Baraskar CHA 11/181, New Custom House, Ballard Estate, Bombay-1.
61. M/s. Keshavlal Kalyanji & Co., 56/57, Bombay Mutual Bldg., 2nd Floor, Sir P.M. Road, Bombay-1.
62. M/s. Gokaldas & Sons, Mint Road, Opp. G.P.O., Bombay-1.
63. M/s. Azad Shipping Agency, 29, Commercial Chambers, Masjid Bunder Road, Bombay-3.
64. M/s. Dadabhojy Normusjee & Co., Dady House, 50/52, Churchgate Street, Fort, Bombay-1.
65. M/s. Babaji Shivrām & Co., Mehta Mansion, 319, Frere Road, Bombay-1. (CHA 11/262).
66. M/s. P. Cawasji & Co., 18, Karwar Street, Bombay-1.
67. M/s. Sind Punjab Clearing Agency, 22, Nazir Bldg., Calicut Road, Bombay-1.
68. M/s. C. H. Chinoy & Co., 44/46, Karani Bldg., New Charni Road, Bombay-4.
69. M/s. Prabhulal L. Pandya & Co., 26, Podar Chambers, Brelvi Sayad Abdulla Road, (Parsee Bazar Street); Fort, Bombay-1.
70. M/s. Hirachand M. Shah, 269, Negdevi Street, Bombay-3.
71. M/s. Shantilal Thakarsey & Sons, Chhotalal Bhavan, Kalbadevi Road, Bombay-2.
72. M/s. Mayekar & Sons, Advani Chambers, Sir P.M. Road, Bombay-1.
73. M/s. Dalal & Bros., 26, Calicut Street, Mehta Bldg., Fort, Bombay-1.
74. M/s. Thakare & Co., 17, Frere Road, Wadi Bunder, Bombay-9.
75. M/s. Shivji Kanji & Co., Hatim Manzil, 149, Frere Road, Bombay-1.
76. M/s. A. N. Sodder & Co., Bank Street Bldg., Top Floor, 11, Bank Street, Bombay-1.
77. M/s. Dharsi Moolji, 18, Shroff Bhavan, 157, P.D'Mello Road, Bombay.
78. M/s. Nava Bharat Corporation, 13, Bombay Mutual Annexe, Gunbow Street, Bombay-1.
79. M/s. Cox & Kings (Agents) Ltd., Lloyds Bank Bldg., Dadabhai Naoroji Road, Bombay-1.

80. M/s. Balmer Lawrie & Co. Ltd., 5, Graham Road, Ballard Estate, Bombay-1.
81. M/s. Jhaveri Bros., 83/85, Bazargate Street, Fort, Bombay-1.
82. M/s. H. Curranee & Co., (Prop. Shri G.T. Honavar, 231, Dadabhoy Navroji Road, Bombay-1.
83. M/s. Nuservaji Ruttonji Nazir & Sons, Stock Exchange Bldg., Room Nos. 141 & to 143, 5th Floor, Appolo Street, Bombay-1.
84. M/s. Jepsens & Co., Patel Bldg., 1st Floor, 74/80, Chakla Street, Bombay-3.
85. M/s. Gannon Dunkerley & Co. Ltd., Chartered Bank Bldg., Fort, Bombay-1.
86. M/s. J.S. Pimenta & Sons (Sole Proprietors M/s. Insmenia Pimenta), 307, Frere Road, Bombay-1.
87. Shri Ishwarlal Thakardas Dalal, Moti Bldg., 3rd Floor, Fanaswadi, 2nd Lane, Bombay-2.

(2)

(New Custom House, Dalal's Shed), 2nd Floor, Bombay-1).

88. M/s. E. Leslie & Co., 7/10, Horniman Circle, Fort, Bombay-1.
89. M/s. Mackinnon Mackenzie & Co. Pvt. Ltd., Ballard Estate, Bombay-1.
90. Shri Vithaldas Mulji Bavaria (Sole Proprietor of M/s. Sea Sky Services), C/o, Joint Clearing Agents & Dalals' Association (Karachiwala) Hall, 2nd Floor, New Custom House, Ballard Estate, Bombay-1. Res: 16/18, Devji Premji Bldg., 5th Floor, Room No. 55, Daryasthan Street, Bombay-3.
91. M/s. Liladhar Pasoo & Co., 282, Narshi Nath Street, Bombay-9.
92. M/s. Freight Carriers Pvt. Ltd., 43, Tamarind Lane, Fort, Bombay-1.
93. M/s. Killick Nixon & Co. Pvt. Ltd., Killick House, Home Street, P.O. Box No. 109, Bombay-1.
94. M/s. Manilal Mohanlal Karachiwala (Sole Prop. of K. M. Karachiwalla), Laheri House, 81/N, Mahamadali Road, Bombay-3.
95. M/s. Chhotalal Keshavjee Shah & Sons (Prop. Dhirajlal Chhotalal Shah), Nazir Bldg., 6/12/Calicut Street, Ballard Estate, Bombay-1.
96. M/s. W. H. Brady & Co. Ltd., Brady House, 12/14, Veer Nariman Road, Bombay-1.
97. Shri Thukurdas Kanaya Singh, No. 1, Fort Street, Opp. Red Gate, Bombay-1.
98. The India Leather Corporation P. Ltd., 9, Davidson Street, Madras-1.
99. M/s. White & Co., 86, Mint Road, Fort, Bombay-1.
100. M/s. D. Abraham & Sons Pvt. Ltd., Hague Bldg., Ballard Estate, Bombay-1.
101. Shri Krishna Vishnu Salgaonkar, 116, Kharote House, Worli Village, Bombay-18.
102. M/s. Harilal & Co. (Prop. Shri Harilal Maganlal Metha), Lohar Chawl, Lalji Mansing Bldg., 1st Floor, Bombay-2.
103. M/s. Nadir & Co. (Prop. Shri K. G. Desai), 18, Noble Chambers, 2nd Floor, Parsi Bazar St., Fort, Bombay-1.
104. M/s. Tulsidas Valji & Co., 99/101, Bhandari Street, Koliwada, Bombay-3.
105. M/s. Ramzan Karim & Sons. (Sole Prop. Shri Ramzan Karim), New Custom House, Dalal Shed, Bombay-1.
106. M/s. Trade Wings (P) Ltd., 30/32, Rampart Row, Fort, Bombay-1.
107. M/s. Hard Castle Ward & Co. Pvt. Ltd., Alice Bldg., Dr. D. N. Road, Bombay-1.
108. M/s. The American Express Co. INC. Oriental Bldg., 363, Dr. D. N. Road, Bombay-1.
109. M/s. J. F. Kapadia & Co., 33, Khorshed Bldg., Sir P. M. Road, Bombay-1.
110. M/s. Smith Sodder & Co., Asian Bldg., Nicol Road, Ballard Estate, Bombay-1.
111. M/s. Forbes Forbes Campbell & Co. Ltd., Forbes Bldg., Home Street, Bombay-1.

- 112 M/s Shri J S Vincent (Prop M/s Herman Bros Agents), C/o Herman Bros (Agents), 9 Calicut Street Bombay-1
- 113 M/s Kanji Jadhavi & Co (Prop Velbai W/o Kanji Jadhavi), Masjid Bridge, Bombay-9
- 114 M/s Girdharilal & Co 29 Imperial Chambers, Wilson Road Ballard Estate, Bombay-1
- 115 M/s R H Amin & Co (Prop Shri R H Amin), Islam Bldg, 46, Vir Nariman Road Fort Bombay-1
- 116 M/s Famous Transport & Co (Prop Shri V J Sukhtankar) 3rd Floor, 11, Bank Street, Fort Bombay 1
- 117 M/s Kamat & Co Asian Bldg 2nd Floor, Nicol Road Ballard Estate, Bombay-1
- 118 M/s Plamdia Shipping Agency 31 Boble Chambers 4th Floor, Parsi Bazar St Fort, Bombay 1
- 119 M/s Sethna & Co (Sole Prop Shri F C Sethna 105 Apollo Street, 1st Floor, Fort Bombay 1
- 120 M/s New Globe Shipping Service Pvt Ltd, Khatau Bldg Old Custom House Road, Bombay-1
- 121 Shri DR Kulkarni, 12, Deauman Bldg, Calicut Street, Fort Bombay-1
- 122 M/s Vallabhadas Dayal & Sons Indu House, Dougall Road, Ballard Estate, Bombay-1
- 123 M/s Shipping & Travel (Agents) Pvt Ltd, Botawala Chambers, Sir Phnozesah Mehta Road Bombay-1
- 124 M/s Oriental Transport Service 53, Bazargate Street, Fort, Bombay-1.
- 125 M/s Kooverji V Curumsey & Co, (Prop Shri Naishadkumar K Curumsey), Lentin Chambers, Dalal Street, Fort, Bombay-1
- 126 M/s Vinsons (Prop Shri Vishandas Shewaram), Imperial Chambers, Wilson Road, Ballard Estate, Bombay-1
- 127 M/s The Kay-Cee Agencies Bell Bldg, Sir P M Road, Bombay-1
- 128 M/s The Fairdeal Shipping Agency (Sole Prop Shri Kamlakar Ramrao Sadaverte), National Seamen's Union Bldg, 4, Goa St, Ballard Estate, Bombay-1
- 129 M/s International Express Co (Sole Prop Shri Pantap Singh Bakshi), 27, Chinch Bunder, Bombay 9
- 130 M/s Orient Transport Co, 7/10 Hornuman Circle, Botawala Bldg, 3rd Floor, Fort, Bombay-1
- 131 M/s Baxi & Co (Prop Major A S Baxi), 273, Frere Road Fort, Bombay-1
- 132 M/s H Mangaldas & Co (Sole Prop Mangaldas Hurji Shanghavi) 12, Nazir Bldg, Calicut Street, Ballard Estate, Bombay-1
- 133 M/s Navalchand A Mehta & Bros Junction Frere Road, Masjid Bunder Siding Road, Opp Ghadial Godi, Bombay-9
- 134 M/s India Clearing & Forwarding Co (Prop Shri Pyaralal Grover), Karmani Bldg 2nd Floor, Sir P M Road Fort, Bombay-1
- 135 M/s Ota India (Prop Shri S B Sethi), 12 Rampart Row, Bombay-1
- 136 M/s Shri Chhaganlal Mohanlal Shah (Prop Chhaganlal Mohanlal & Co), 11, Agiary Lane, Fort, Bombay 1
- 137 M/s M Dharmadas & Co (Prop Shri M Dharmadas), Mehta Bldg, 26, Calicut Street, Ballard Rdysyr, Estate, Ball Bombay-1
138. M/s J. Gordhandas & Co, I-A Nazir Bldg, Calicut Street, Bombay-1
- 139 M/s S K Paul & Co (Prop Yogendra Pal), 24, Empire Bldg, D N Road, Bombay-1
- 140 M/s Jesia Mistry & Co [Shri Coover (Jehangir) Jamasp Jesia], Behramji Mansion, Sir P M Road Fort, Bombay-1
- 141 Shri Sadanand Pandurang Dhond Tarkar Iaxmichand Dipchand Bldg., 8 B, Ground Floor Hamalawadi Dhobitalao, Bombay 2
- 142 M/s Thawardas Wadhmal (Prop Thawardas Wadhmal) Esplanade School Bldg, 1st Floor, 160, Dadabhoy Naoroji Road, Bombay 1
143. M/s N K Temkar & Co Nazir Bldg, Calicut Street, Ballard Estate, Bombay-1

144. The Bombay Co. Ltd, 169, Boardway, Madras-1
145. M/s. Jasraj Kalianji & Co. (Prop Shri Velji Kalianji Papat), 58, Mint Road, Bombay-1.
146. M/s Velji Desabhai & Sons, Standard Bldg, No 3, 402/410 Narsi Nztha St, Katha Bazar, Bombay-9.
- 147 M/s Thandava Moorthy & Sons, 31, Andiappa Naick St. Choolai, Madras-7.
- 148 M/s B. R. Kerman & Mohatta (Ind.) Pvt. Ltd, Mustafa Bldg, Sir P. M. Road, Fort, Bombay-1.
149. M/s Oriental Clearing Agencies (Prop Shri P. M. Nabhanani), Lentin Lodge, 11, Lamington Road, Bombay-11.
- 150 M/s Tarasing & Sons (Prop. Sunderdas Tarasing Mudnaney), 42, Empire Bldg., Dadabhoy Naoroji Rd., Bombay-1.
151. M/s Shantllal Devji & Co., 37-39, Broach Street, Dana Bunder, Bombay-9.
- 152 Sunderdas Sales Bombay Pvt, Ltd, 209, Argyle Road, Iron Market, Bombay-9.
153. Shri Manllal Mohanlal Parekh, 195, Samuel Street, Khoia Galli, Bombay-9.
- 154 M/s. Thos Cook & Sons Continental and Overseas Ltd, 4/3, First Line Beach, Madras-1
- 155 M/s. Saindass Kishanchand Mehra (Sole Prop Shri Virindra C. Mehta), 7-Homji Street, Rahimtoola House, Bombay-1.
- 156 M/s Ramjee Jaisingh & Co, 8-King Lane, Bora Bazar Street, Fort, Bombay-1.
157. M/s. Ardeshir B Cursejee & Sons Pvt Ltd, 6, Rampart Row, Fort, Bombay-1
- 158 Shri Vijay Shamalji Saghavi, Bharucha Bldg. 1st Floor, 174, Princess St Bombay-2.
159. Shri Jaswant B Shah, Fort Chambers, A-Block, Room No 9, Fort, Bombay-1
160. M/s. Sepulchre Bros (India) Ltd, Taj Bldg, Dadabhoy Nauroji Road, Fort, Bombay-1.
161. M/s. A S Vasan & Sons, 22 Mohamed Colony Salai Vinayagar Koil St., Madras-1.
162. Shri C M. Mehata (Sole Prop of M/s Mehta Bros), Dubash Chambers, 10, Kumta Street, 2nd Floor, Bombay 1
163. M/s Shiavax C Cambata & Co Pvt Ltd, Cambata Bldg, 3rd Floor, South-West Wing, Jamshedjee Tata Road, Bombay-1.
164. M/s Bombay Cotton Pvt. Ltd, 104, Apollo St, Fort, Bombay-1.
165. M/s Ashar Brothers, 381, Hornsby Road, Eastern Bank Bldg., Fort, Bombay-1
166. M/s Jivanlal Lallubhai & Co 20-A, Dalal Street, Fort, Bombay-1.
- 167 M/s S Vaidyanatha Iyer & Co., 301, Linghi Chetty St Madras 1
- 168 M/s Khimji Damji & Co. 3, Mint Road, Fort, Bombay
- 169 M/s Bombay Burma Metal Mart, Co-operative Insurance Bldg., 2nd Floor, Sir P M Road Fort Bombay 1
- 170 M/s Rallis India Ltd, Ralli House, 21, Revalln St, Fort, Bombay 1.
- 171 M/s Spencer & Co Ltd, Spencer's Bldg, Forjet Street, Bombay-26.
- 172 M/s Dawn India (Prop J D Jhaveri), Alice Bldg, Dr Nauroji Road, Bombay-1
- 173 M/s Dalal Bros 18 2nd Fanas Wadi, Modi Bldg, 3rd Floor, Room No. 51, Bombay-2
- 174 Shri L H Ahuja, (Sole Prop. M/s Hari Agencies), 5 Mack Guest House, Beauman Bldg 12, Calicut St. Ballard Estate, Bombay-1
- 175 M/s B Mohan & Co, 209, Frere Road, Bombay-1
- 176 M/s. B. S Trading & Co (Prop Shri Biharilal S Lulla), Bombay Mutual Annex Gunbow St, Fort, Bombay-1

177. M/s. Asiatic Travel Service, 12, Murzban Road, Bombay-1.
178. M/s. Peraj Poonja, 19/21, Dalal Street, Fort, Bombay-1.
- 178A. M/s. New Bharat Commercial Service Pvt. Ltd., Flat No. 3, 2nd Floor, Nagri Bldg., Old Custom House, Road, Bombay-1.
179. Shri Sharad Kumar Gajanan Ovalsekar, Balwant Niwas, 96, Raghoba Shankar Road, Chandani Thana, THANA.
180. M/s. C. Vedachala Mudaliar & Sons, 71, Ayappa Chetty St. Mannady, Madras-1.
181. Shri Hadvick Francis Almeida, Nazrath Bldg., Modi Bunder, Near White Gate, Alexandra Dock, Bombay-1
182. M/s. M. L. Mansukhani & Co. Pvt. Ltd, 36, New Hanuman Lane, Bombay-2.
183. M/s. J. Hardacre & Co., Himalaya House, Palton Road, Bombay-1, P.O. Box No. 527
184. M/s. Radia Sons & Co. Pvt. Ltd., Radia House, 4th Floor, 6, Rampart Row, Fort, Bombay-1.
185. M/s. Wilson & Co. P. Ltd, 2, North Railway Terminus Road, Royapuram, Madras.
186. M/s. Ruttonsee Earnst & Co., Nanabhoy Mansion, 4th Floor, Sir P. M. Road, Fort, Bombay-1
187. M/s. Chunilal Prnajivandas & Co., Indian Globe Chambers, Fort, Bombay-1.
188. M/s. Jabee & Co., C/o Graffkh Press, 16-D, Wasaiwalla Mansion, British Hotel Lane, Apollo Street, Bombay-1.
189. Shri Jatashankar Dhanji Dave (Prop. M/s. Kanji Mahadeo & Co.), 100, Old Hanuman Lane, Bombay-2.
190. Shri Kakoobhai Meghji Ganatra, 135-137, Khand Bazar, Bombay-3
191. Shri Tatilal Keshavji Kothari (Prop. of M/s. R. Keshavji & Co.), 3-D, Mangaldass Market, Office No. 450, Mangaldas Road, Bombay-2.
192. M/s. Joshi Jatashankar Likadhar & Sons, 91, Bhandari St., 2nd Floor, Bombay-3.
193. M/s. Motiwalla & Sons, 117-119, Motiwala House, Fort Street, Bombay-1.
194. Shri Laxmi-Shankar B. Joshi, 88, Masjid Bunder Road, 2nd Floor, Bombay-9.
195. Shri Kunverji Dharshi, 89, Khand Bazar, 1st Floor, Bombay-3.
196. Shri Vithaldas S. Sanghavi, Karimjee Bldg., 1st Floor, 111, M. G. Road, Bombay-1.
197. Shri Jivan Karamsey Joshi, 6/12, Nazir Bldg., 1st Floor, Calicut St., Fort, Bombay-1.
198. M/s. Asla Transport Co., (Prop Shri Bhimsen Dhingra), 16, Bhandari St., X Lane, Bombay-3.
199. Shri Karamshi Damji Shah, 110, New Chinch Bunder Road, Bombay-9.
200. Shri Jagjivan Kanji Bhojani, 89, Khand Bazar, 1st Floor, Bombay-3.
201. M/s. Mulchand Kashmirilal, Iron Market, 32/38 Ahmedabad St., Bombay-9.
- (2) 80/82, Nagdevi St., Bombay-3.
202. M/s. Babaji Khimji & Co., 222, Narsi Natha St., Bhat Bazar, Bombay-9.
203. Shri Devchand Khatau, 23-B, Subash Nagar, Dillse Road, Bombay-11.
204. M/s. Vasudeo Ranshodas & Co., 312, Kharik Bazar, Bombay-9.
205. Shri Jayantilal Bhuralal Udani, 319/321, Kharik Bazar, Bombay-9.
206. Sri C. N. Swamh, 41, Thyagaraja Pillai St. G.T. Madras-1.
207. Shri Padamshi Kanji Meisheri, 89, Khand Bazar, Bombay-9.
208. Shri Talakchand J. Parekh, Ganmukh Bhavan, 2nd Floor, Room No. 64/65, Opp: Masjid Stn., Masjid Bunder Road, Bombay-9.
209. Shri Umershi Manshi Khona, 334, Katha Bazar, Bombay-9.
210. M/s. Premji Kalyanji & Co., 7/11, Masjid Sinding Road, 1st Floor, Dana-bunder, Bombay-9.

211. Shri Tribhovandas D. Kanani, 2nd Floor, New Custom House Annexe, Fort, Bombay-1.
 212. Shri Haji Ibrahim Husein, 18-20 Kambekar Street, 4th Floor, Bombay-9.
 213. Shri Amraram J. Makwana, Tejukaya Bldg., Chinch Bunder, Bombay-9.
 214. Shri Husein Kasam Mukadam, 194, Kambekar St., Bombay-3.
 215. Shri Sadikally Lsoofally. 43/45, Dhabu St., Bombay-3.
 216. Shri Suleman Hahi, C/o M/s. Haji Aziz & Abdul Shakoor Bros., Kharek Bazar, P.O. Box No. 5026, Bombay-9.
 217. Shri Raghunath Bapuji Mungekar, 18, Nazir Bldg., Calicut Street, Ballard Estate, Bombay-1.
 218. Shri M/s. Bombay Clearing Agency (Prop. Dwarkadas and Co.) 384, M. Dabholkarwadi. Kalbadevi Road, Bombay-2.
 219. M/s. Ratilal Bajawan & Co., 136, Kazi Syed Street, Khand Bazar. Bombay-3.
 220. Shri Saradchandra P. Shah. Kalabhas Bldg., 59, Goa Street, Room No. 17, Fort. Bombay-1.
 221. Shri Ramchandra Tukaram, 131, Ibrahim Haji Habib Bldg., Delisle Road, Bombay-13.
 222. Shri Enayat Ali Alimahomed Talib (Prop. General Transport), 130, Abdul-rehaman St., Bombay-3.
- or
- 37, Calicut Street, Bombay-1.
 223. M/s. R. N. Krishnamoorthy Mudaliar & Sons, 32, Mulla Sahib St. Madras.
 224. Shri Bhagwanji Popatlal Jobanputra, 146, Modi Street, Fort, Bombay-1.
 225. Shri Premji Ranchhaddas (Prop. Vaccalji & Son), 197, Bazargate Street, Fort, Bombay-1.
 226. Shri Ratilal Gandalal Mehta, C/o. Hariprasad Amratlal & Co., Carnac Bunder, Iron Market, Bombay-9.
 227. Shri Parsharam Bhikaji Bhosle (Prop. Parsharam Bhikaji & Co.), 344/46, Kalbadevi Road, Bombay-2.
 228. M/s. Harendra & Co., Sudha Kunj, Tardeo Road, Bombay-7.
 229. Shri Gulamhusein Kassamali Banatwala, 102, Dongri Street, 4th Floor, Bombay-9.
 230. Shri Mathradas Shivji, 70, Dev Bhuvan, 4th Floor, Old Modi Street, Bombay-1.
 231. Shri Dhirajlal P. Bhatt, Suman Villa, 2nd Hasanabad Lane, Santacruz, Bombay-54.
 232. Sri D. Thanaraj, 108, Coral Merchant St. Madras-1.
 233. Shri Mulji Tulsidas Seth, 27, New Marine Lines, Manohar Block No. 3, Bombay-1.
 234. M/s. T. G. Elumalai & Co. 6/20 North Beach Road, Madras-1.
 235. Shri Ratilal Narayandas Kotak, C/o. Parikh & Bros., Picket Cross Rd., Bombay-2.
 236. Shri S. N. Mainkar, Bodes Bldg., Princess Street, Bombay-2.
 237. M/s. A. Seetharama Naidu & Sons, 207 Thambu Chetty St. Madras-1.
 238. Shri Sadruddin Gulamhusein, Dawood Fazalbhoy New Bldg., 3rd Floor, 1st Chinch Bunder Road, Bombay-9.
 239. Shri Yeshwant Kesharinath Rele (Prop. of M/s. Eastern Clearing & Forwarding Agency), Mehta Bldg., 1st Floor, Calicut St., Ballard Estate, Bombay-1.
 240. Shri Gokaldas Hansraj, 6/7 Mangal, 76-C Rafi Ahmed Kidwai Road, Kings Circle, Bombay-19.
 241. Shri Maganlal Mulji. 105, Kazi Syed Street. Khand Bazar, Bombay-3.
 242. M/s. Continental Shipping and Clearing Agency. 1, Jaffar Syrang St., Madras-1.
 243. M/s. Shantilal Madhavji Shah. Nazir Bldg., 1st Floor, 12/6 Calicut St., Fort, Bombay-1.

244. M/s. Ved Parkash & Co., Warden House, 1st Floor, Sir P. M. Road, Fort, Bombay-1.
245. Shri Kashinath Raghoba Talashikkar, Rameshwar Co-operative Housing Society Ltd., Rameshwar Prasad, 1964, 1st Floor, Block No. 15, Opp. Bengal Chemical, Cadell Road, Bombay-28.
246. Shri K. D. Sujan (Sole Prop. of K. D. Sujan & Sons) C/o. K. Antla & Sons, Hassan Chambers, Ghoga Street, Fort, Bombay-1.
247. M/s. Sind Oriental Tourist Co. (Prop. Shri V. P. Shanhani), 249, Dr. Cawasji Hormusji St., Bombay-2.
248. Shri K. M. Popat, Room No. 5, Dock View No. 1, Fort Street, Fort, Bombay-1.
249. Shri Jeramdas Liladhar Popat (Prop. of Azad Shipping Agency), 29, Commercial Chambers, Masjid Bunder Road, Bombay-3.
250. Shri Vaman Narayan Manjrekar, C/o. V. Tulsidas & Co., 67/69, Mahomodali Road, Bombay-3.
251. M/s. Nensi Tejpal & Sons, 8, Maruthi Lane, Fort, Bombay-1.
252. M/s. The Pioneer Consolidated Co. of India Ltd., 5, Scindia House, New Delhi—Botawal Bldg., 11/13 Horniman Circle, Fort, Bombay-1.
253. Shri Assandas Kewalram Bablani, 46, Mohatta Market, 1st Floor, Palton Road, Bombay-1.
254. M/s. The Bombay Shipping Agency, Nazir Bldg., 12, Calicut Street, Ballard Estate, Bombay-1.
255. Shri R. S. Rangnekar (Prop. of M/s. Ahmed Hoosein & Co.), K. Lekhray Bldg., Carnac Bridge, Bombay-9.
256. Shri Kakubhai Mohanlal Karia, 7, Sumangal, 2nd Floor, 76-C Rafi Ahmed Kidwai Road, Kings Circle, Bombay-19.
257. M/s. Mohanlal & Bros. (Prop. Mohanlal Odhavji), 4, Anees Chambers, Carnac Road, Bombay-1.
258. Shri M. D. Ruparel, Dada Manzil No. 13, 67-69, Mohmedali Road, Bombay-3.
259. Shri Sahadeo Sakharam Salkar, Wadia Trust Estate, B. No. 13, Old Kurla, Bombay-70.
260. Shri Mohomedali Karamali Ravji, Sharif Mansion, 3rd Floor, Dongri, Bombay-9.
261. M/s. Northern India Goods Transport Co. Pvt. Ltd., H.O. Naya Bazar, Delhi.
Bombay Office:—176/72, Chakala Street, Bombay-3.
262. Shri R. K. Shahani, 37-Calicut Street, Fort, Bombay-1.
263. M/s. M.B.T. 36, Second Line Beach, Madras.
264. M/s. Dave Shipping Agency, 345, Samuel Street, Vadgedi, Bombay-3.
265. Shri D. M. Vatnani (Prop. of M/s. Vatnani and Co.), 582, H. Shri Rama Nagar Co-operative Housing Society Ltd., Road No. 3, Khar, Room No. 2, Bombay-52.
266. Sri P. Venkataraman, 39, Second Line Beach, Madras.
267. M/s. Mahindra & Mahindra Limited, Gateway Bldg., Appollo Bunder, Bombay-1.
268. M/s. The Western India Automobile Assn., Lalji Naranji Memorial Bldg., Churchgate Reclamation (P.O. Box No. 211), Bombay-1.
269. M/s. Blue Skies Pvt Ltd., Burmah Shell House, Ballard Estate, Bombay-1.
270. M/s. C. D'Sousa & Co., 219, Calicut Street, Bombay-1.
271. Shri Ramji K. Joshi (Prop. of M/s. Ramji K. Joshi & Co.), 105, New Chinch Bunder Road, Bombay-9.
(2) Bombay Mutual Annex Bld., 2-C, Cawasji Patel St. Bombay-1.
272. M/s. Ramratan & Sons, Bahoo Niwas, Stn. Road, Mulund, Bombay-80.
273. M/s. Javerchand Narsey & Co. (Prop. Shri H. G. Karani), 22, Mangesh Shenoy Street, Bombay-1.
274. The Director, Madras Customs Clearing and Shipping Agents' Association, 22, First Line Beach, Madras-1.

275. M/s. Milling Trading Co. Pvt. Ltd., Steelcrete House, 125, Dinsha Vacha Road, Churchgate Reclamation, Bombay-1.
276. M/s. Damodar Chunilal & Co., 67, Modi Bazar, Mandi, Bombay-3.
277. M/s. Vensimal Bassarmal & Bros. (Prop. Shri Daulatram Vensimal), P.O. Box No. 2112, 521, Kalbadevi Road, Bombay-2.
278. Shri Phiroze D. Pundole, Beauman Bldg., 12, Calicut Street, Ballard Estate, Bombay-1.
279. S/Shri Inter-Continental Shipping and Forwarding Agents (Sole Prop. Shri Shankar Ramchandra Gokhale), B-31, Palan Sojpal Bldg., Bombay-28.
280. Shri Uttamchand Kapurchand Chitalla, 11, Vimal Villa Tejukaya Part, Matunga, Bombay-19.
281. Shri Kumudrai Kanji Jani, 100, Old Hanuman Road, Bombay-2.
282. Shri Vasan Krishnaji Parab, Mahashwari Bldg., 12th Cross Lane, Khetwadi, Bombay-4.
283. Shri Sakarchand Gopaldas Shah, Gopal Nivas, 3rd Floor, Princess St., Bombay-2.
284. Shri Curshed Nawroji Gandevia, Gadiwala House, Sleater Road, Bombay-7.
285. Shri Chandrakand Krishnarao Pradhan, 12, Calicut Street, Nazir Bldg., Ballard Estate, Fort, Bombay-1.
286. Shri Ramrao Shivram Kandalkar, Ashok Nivas, 10, Nowrajee Hill Road, No. 5, Bombay Dayal Bhuvan, 1st Floor, 104, New Chinch Bunder Road, Bombay-9.
287. Shri Prabhakar Ganpat Bandiwdekar, B 36, Konkan Nagar, Lady Jamshedji Road, Mahim, Bombay-16.
288. Shri Devidas Ramkrishna Pandit, Wagale Bldg., 364-B, Thakurdwar, Bombay-2.
289. M/s. B. K. Madhav & Sons, Shantaram Nivas, 57-B, Gokhale Road, North, Dadar, Bombay-28.
290. Shri Gangaram Atmaram Ghag, 12, Calicut Street, Nazir Bldg., Bombay-1. 12, Calicut St., Beauman Bldg., Ground Floor, Bombay-1. Res.—Dhoble Bhuvan, 3rd Floor, R. No. 43, Mandvi Koliwada, Bombay-3.
291. Shri Damodar Shantaram Sarmalkar, 138, Shivji Park, Dadar, Bombay-16.
292. Shri Krishnanath Atmaram Kulkarni, Kusum Nivas, Bhai Jiwanji Lane, Thakurdwar, Bombay-2.
(2) 2nd Floor, Hague Bldg., Sprott Road, Bombay 1
293. M/s. K. S. Sawant & Co., Plot No. 50, Dr. Maheshwari Road, Bombay-9.
294. M/s. Harilal Bhawanji & Co., 83/85, Bazargate Street, Fort, Bombay-1.
295. M/s. E. G. Phadnis & Sons, (Prop. Shri E. C. Phadnis), 7, Nazir Building, Calicut Street, Ballard Estate, Bombay-1.
296. M/s. N. Karim & Son, 21, Israel Mohalla, 2nd Floor, Room No. 19/20, Bombay-9.
297. Shri Kantilal D. Doshi (Sole Prop. of the National Shipping Agency), 4, Nazir Bldg., Calicut Street, Fort, Bombay-1.
298. M/s. Milak Bros. (Sole Prop. Shri B. C. Milak), 349-53, Samuel Street, Vadgadi, Bombay-3.
299. M/s. Gulamhusein Khanmohamad, 271, Nagdevi Street, Bombay-1.
300. M/s. Khandelwal Bros. Pvt. Ltd., 166, Dr. D. N. Road, Bombay-1.
301. S/Shri Reliance Traders (Prop. Shri D. A. Vaidya), Alice Bldg., 339, Dr. D. N. Road, Bombay-1.
302. M/s. J. N. Marshal & Co., Savoy Chambers, S. Waellace Street, P.O. Box No. 608, Bombay-1.
303. Shri Popatlal Jetshi (Prop. of M/s. Popatlal Jetshi & Co.) 9-Chinch Bunder, 1st Floor, Bombay-9.
304. Shri Moolji Virji, 22, Nazir Bldg., Calicut Street, Bombay-1.
305. Shri Pragji Kanji, 30, Chakla Cross Lane, Bombay-3.

306. Shri Jagadish Maganlal Pandya, 390, Katha Bazar, Bombay-9.
307. M/s. Hansraj Pragji & Sons, Nazir Bldg., 2nd Floor, 12 Calicut St. Bombay-1
308. Shri Nandlal Dayabhai Masrani, 2/22, Babu Genu Road, Bombay-1.
309. Shri Yeshwant Gopal Nikam, 51, Dr. Maheshwari Road, Bombay-9.
310. M/s. Tackarcy Meraj & Co., 153/57-Samuel Street, Bombay-3.
311. Shri Sitaram Mahadeo Walkar, Aram Bhuvan, R. No. 32, 3rd Floor, Jail Road (East), Dongri, Bombay-9.
312. Shri K. K. Jagtiani, (Prop. of M/s. J. Kishin & Co., 22, Nazir Bldg., Calicut Street, Ballard Estate, Bombay-1.
313. Shri Bawa Noormohammed Valimohamed, 12, Calicut Street, Beauman Bldg., Fort, Bombay-1.
314. M/s. Hasanali Virji & Sons, Noor Mahal, 3rd Floor, Room No. 64, Nowroji Hill, Road, No. 1, Dongri, Bombay-9.
315. Shri Kashinath Bhaskar Vait, Chinwala Bldg., 1st Floor, Room No. 20/21, Navroji Hill, Road, No. 9, Bombay-9.
316. Shri Himatlal Tribhuvandas Shah, 271, Frere Road, 2nd Floor, Room No. 39, Fort, Bombay-1.
317. Shri Shaikh Mohamed Shelkhh Comer, 59, Underia Street, 1st Floor, New Nagpada, Bombay-8.
318. Shri Ramnallal Himatlal Shah, 22/24, Anarlt Wadi, 5th Floor, Room No. 118, Bhuleshwar, Bombay-2.
319. Shri Saghir Husain Quarashi, Diamond Lodge, 2nd Pirkhan Street Nagpada, Bombay-9.
(2) Dalal Shed, New Custom House, Bombay-1.
320. Lalji Jadhavji Thakkar, Jamnadas Mansion, Room No. 58, Laxminarayan Lane, Matunga, Bombay-9.
321. Ramchandra Tribhak Ker, 15-A, Barrow Lane, Vasudeo Bhuvan, Bombay-2.
322. M/s. B. Damji & Co., 12/14, Kazi Syed Street, Bombay-9.
323. Shri Shantilal Ambalal Dalal, Dalal Shed, New Custom House, Bombay-1.
(2) 127, Deodhar Road, Vishwas Bhuvan, 1st Floor, Plot No. 277, Matunga, Bombay-19.
324. Shri Navinchandra V. Dalal, Kum Kum Guest House, 93, Warden Road, 'C' Geeta Bhavan, Bombay-26.
325. M/s. Jasco Shipping Agency (Prop. Jose Makuden), Dalal Shed, Ground Floor, New Custom House, BB-1.
(2) 11, Sai Prasad, Nr. Sharat Glass Works, Chembur, Bombay-71.
326. M/s. The Solar Transport Co. (Prop. Shri Rampratap Jaisharkar Dave), 15, Mani Bhuvan 408, Telang Road, Matunga (C.R.) Bombay-19.
327. M/s. Ishwardas & Co., 11, Dubash Lane, 2nd Floor, Vithalbhai Patel Road, Bombay-4.
328. Shri Fazellhusein Abdulhusein, 40, Bhandari Street, 1st Floor, Bombay-3.
329. Shri Shamrao Govind Ghadge, (Prop. International Clearing Agency), 26-Calicut Street, Bombay-1.
330. Valji Ralchand & Co., 44, Mudli Bazar, Mandvi, Bombay-3.
331. M/s. Kantilal Chhagnalal Damnia, Swaminarayan Bldg., 2nd Floor, Room No. 96 & Room No. 188, 4th Floor, Third Bhoiwada, Bhuleshwar, Bombay-2.
332. M/s. Vinshnoo Vaman & Sons, Shri Krishna Nivas, Room No. 29, Mangalwadi, Girgaum, Bombay-4.
333. M/s. Thakkar Gangaram Pragji & Co. Ratanshi Kheraj Bulldg., Mahatma Gandhi Rd. Mulund, Bombay-80.
334. M/s. Rex Impex Agency (Prop. Shri Alladin Ramzanally.) 6-12, Calicut Street, Nazir Bldg., 1st Floor, Room No. 18, Bombay-1.
(2) 95, Sardara V. P. Road (East), Bombay-9.
335. Trikamdas Khatau Damji, 16/18, Daryasthan Street, Bombay-3.
336. M/s. S. Yeshwant & Company, 122, Vithalwadi, Kalbadevi, Bombay-2.
337. M/s. Jaffawali Lalji & Con., Dalal Shed, New Custom House, Bombay-1.
(2) Bundeali Bldg., 3rd Floor, Haji Bachwall Road, Dongri Street, Bombay-9.

338. Shri Hubib-Haji Molldina, Dalal Shed, New Custom House, Bombay-1.
(2) 8A, Nishanpada Road, 2nd Cross Lane, Bombay-9.
339. M/s. Naymoon & Company, 9A, Old Bengulpura, Chakla, Bombay-3.
340. Shri M. D. Sadvani, 45-Panchayat Lane, Bhuleshwar Road, 1st Floor, Room No. 45, Bombay-2.
341. Shri Ebrahim Karamali, Dalal Shed, New Custom House, Bombay-1.
(2) Nahlini Villa, No. 74-D'ma Part Road, Bandra, Bombay-50.
342. M/s. Rajan Virji & Co., 168/2, Samuel Street, Mandivi, Bombay-9.
343. Shri Salim Haji (Smail), 58-Nishanapada Road, 3rd Floor, Bombay-9.
344. M/s. Jestaram Ladha & Co., 118-New Chinch Bunder Road, 3rd Floor, Bombay-9.
345. M/s. Hiralal Bhawanji & Son, 83/85 Bazargate Street, Fort, Bombay-1.
346. M/s. Norarji Umarshi & Co., 16, Kassovji Naik Road, Bombay-9.
347. M/s. Shri Ramji Dayal Kothari, Lohana Niwas, Sadashiv Street, Cross Lane, Girgaum, Bombay-4.
348. M/s. S. R. Dighe & Sons, Itchaporia Sadan, 3/112 Proctor Road, Bombay-7.
349. M/s. N. D. Oza & Sons, Shantilal Laldas Kothari Bldg., 2nd Floor, 63-Mody Street, Fort, Bombay-1.
350. M/s. Shantilal D. Dalal & Bros., Dalal Shed, New Custom House, Fort, Bombay-1.
351. M/s. Dhanji Khimji & Co., 18, Bora Bazar Street, 1st Floor, Fort, Bombay-1.
352. M/s. C. Chunilal & Co., Ratanbhai Niwas, Livdaya Lane, Ghatkopar, Bombay-77.
353. Shri D. M. Kapadia, 14-Goa Street, Fort, Bombay-1.
354. M/s. L. R. Rane & Co., Ambika Bhuwan, Wadia Street, Tardeo, Bombay.
355. M/s. Mangaldas & Bros., 13/17-Kumbharwada Cross Lane, Bachubhai Building, Ground Floor, Bombay-3.
356. Shri Champaklal A. Bhatt, Muher Bldg., 4th Floor, Room No. 70, Mount Road, Mazagoan, Bombay-10.
357. Shri Girdharlal Chhaganlal, Lalsinh Mansinh Bldg., 3rd Floor, Lohar Chawl, Bombay-2.
358. M/s. Damji Kanji & Co., 263, Samuel Street, Deokaran Niwas, Vadgadi, Bombay-8.
359. M/s. N. K. Marathe & Co., Bhavas Chawl, Takya Ward, Kurla, Bombay-70.
360. M/s. D. G. Patil & Co., 24-A, 4th Umerkhadi Gross Lane, Bombay-9.
361. M/s. N. H. Desai & Co., Ram Niwas, 1st Floor, 2nd Pardiwada, V. P. Road, Girgaum, Bombay No. 4.
362. M/s. Jamnadas Raghavji, 20, Ram Nivas, Ramchandra Lane, Malad West, Bombay-64.
363. Mora Shipping Agency Room No. 31, 2nd Floor, Fatema Munzil, Muzafir-khana Road, Bombay-1.
364. M/s. H. G. Mehta & Company Room No. 48, Swami Narayan Bldg., 1st Floor, 2nd Bhoiwads, Bhuleswar, Bombay-2.
365. Ramdas Dossa, 509, Cotton Exchange Building, Kalbadevi Road, Bombay-2.
366. M/s. M. S. Valdia & Company, Lakri Bunder, Mazgaon, Bombay-10.
367. Ganpat Vinayak Pedekar, 11-Dev Chaya, 401-Tardeo Road, Bombay-24.
368. Mohanlal Tulsidas, 54-Mudli Bazar, Kazi Syed Street, Bombay-3.
369. M/s. Saleh M. Tata & Co., 200-Cutlery Bazar, Bombay-3.
370. M/s. Vasant Raghunath & Co., 19-B, Freres Road, Opp. Wadi Bunder, Goods Office, Bombay-8.
371. Shri M. Abubaker, 308, Thambu Chetty St. Madras-1.
372. Shri A. M. Ahamed & Co., 255, Linghi Chetty St. Madras-1.
373. M/s. C. T. Alwar Naidu & Sons, 211, Thambu Chetty St Madras-1.

374. P. Annamalai Mudaliar & Co., 28, Angappa Naick St. Madras-1.
375. M. Balakrishna Mudaliar & Sons, 3/8, Stringers St. Madras-1.
376. M/s. A. Beardsell & Co. (P) Ltd., 8, Second Line Beach, Madras-1.
377. M/s. Best & Co. Ltd., Madras-1.
378. M/s. Buckingham Carnatic Co. Ltd., No. 7, Armanian St. Madras-1.
379. Sri Chandulal Kotadia, 455 Mint St. Madras-1.
380. Shri M. Kuppuswamy Mudaliar, 49 Nambulier St. Madras-1.
381. Shri C. Devarajulu Naidu, 47, Veeraswamy Pillai St. Madras-1.
382. M/s. R. Dhanapal Naidu & Sons, 23, Thaippa Mudali St. Madras-1.
383. M/s. V. K. Doraiswamy & Sons, 2-A Millers Road, Madras-1.
384. M/s. Gillanders Arbuthnot & Co. Ltd., 3, North Beach Road, Madras-1.
385. Shri G. Gopal Chetty, 11, Malaperumal St. Madras-1.
386. Gordon Woodroffe & Co., (M) P. Ltd., 1/21, North Beach Road, Madras-1.
387. M/s. G. M. Govias & Sons, 3, Kondi Chetty St. Madras-1.
388. P. Govindaswamy Naidu, 10, Venkatesa Naick St. Madras-1.
389. M/s. Hariprasad M. Selet 5, Hanumantharayan St. Madras-1.
390. M/s. International Clearing and Chipping Agency, 20, B, Second Line Beach, Madras-1.
391. Shri A. V. Kanniah Naidu, 260-B, N. S. C. Bose Road, Madras-1.
392. Shri M. G. Kannuappan, 19, Shanmugaraya St. Madras-1.
393. M/s. Krishna & Co., 14, Jaffar Syrang St. Madras-1.
394. Shri Lakshmidass, Dwarkdas, 436, Sowcarpet, Madras-1.
395. M/s. I. S. Machado, 118, Armenian St. Madras-1.
396. M/s. Madras Bangalore Transport Co. 1/235 Angappa Naick St. Madras-1.
397. Shri P. Madurai, 272, Jandha St. C.I.T. Nagar, Madras.
398. M/s. K. B. S. Maniam & Bros. 13, Flag Staff St. Royapuram, Madras-13.
399. M/s. Murugesu Mudaliar & Sons, 23/1 Rangesan Naidu St., Perambur, Madras-11.
400. Shri M. Narayana Babu, 246, Thambu Chetty St. Madras-1.
401. M/s. D. C. Narayana & Co., 40/41 Moors St. Madras-1.
402. M/s. S. Nate a Iyer & Co., 35/37 Thambu Chetty St. Madras-1.
403. M/s. New Era Trading Co., 1/29 Angappa Naicken St. Madras-1.
404. M/s. Parry & Co., Madras-1.
405. M/s. Pilmen Agents (P) Ltd., Second Line Beach, Madras-1.
406. M/s. S. Poonusamy Nadar & Sons, 12, Narayana Mudali St. Madras-1.
407. Sri A. K. Radhakrishna Chetty, 24, Kavarai Chetty St. Madras-1.
408. Sri S. Raghava Chetty, 52, Muthumari Chetty St. Mannadi Madras-1.
409. M/s. K. Ramabrahman & Sons (M), 31-A North Beach Road, Madras-1.
410. Sri T. V. Ramachandra Rao, 15, Nattu Pillayar Koil St. Madras-1.
411. Sri R. Ramachandra Rao, 13, Koral Merchant St. Madras-1.
412. Sri S. Rangaiyah Naidu, 38, Shanmugarayan St. Madras-1.
413. Sri S. G. Sambandan, 216, Linghi Chetty St. Madras-1.
414. Sri A. G. Sampath Naidu, 14, Ramaswamy Nadidu St. Mannadi, Madras-1.
415. Sri R. Sarangapani, 137, Linghi Chetty St. Madras-1.
416. Shaw Wallace & Co., 8/9, Thambu Chetty St. Madras-1.
417. M/s. Sheriff & Sons, 34, Second Line Beach, Madras-1.
418. M/s. Soundararajan & Co., 231, Govindappa Naick St. Madras-1.
419. M/s. South India Export Co. Ltd., Mclean St. Madras-1.
420. Sri A. P. Srinivasan, 32, North Beach Road, Madras-1.
421. M/s. Spencer & Co. Ltd., 1/153, Mount Road, Madras-2.
422. Sri A. Srinivasan, 5, Thambu Chetty St. Madras-1.

423. M/s. M. Srinivasalu Naidu & Co. 17/20 V. V. Koil St. Periamet, Madras.
 424. Sri Ramavilas Service Ltd., Mount Road, Madras-2.
 425. M/s. South India Corpn. (A) P. Ltd., 80, North Beach Road, Madras-1.
 426. M/s. Subramaniam & Co., 58, Thambu Chetty St. Madras-1.
 427. M/s. Sugesan & Co. Pvt. Ltd., 22, First Line Beach Madras-1.
 428. M/s. T. A. Taylor & Co. (M) Pvt. Ltd, 100 Armenian St. Madras-1.

SCHEDULE II

Whether the employers specified in Schedule I hereto annexed are justified in not implementing the recommendations made by the Central Wage Board for Port and Dock Workers from time to time in respect of payment of Interim Relief and Additional Dearness Allowance to all their employees with retrospective effect. If so, to what Scheme of Dearness Allowance are their employees entitled and from what date and what should be the proper scales of pay for the said employees, the method of classification, fixation and adjustment in the revised pay scales and from what date?

[No. 28(14)/67-LR.II.]

New Delhi, the 25th May 1967

S.O. 1921.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Satna Cement Works, Satna and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Satna Cement Works, Satna was justified in dismissing from service the following workmen with effect from the dates shown against their names:—

<i>Name of the workers.</i>	<i>Date of dismissal.</i>
1. Shri Narain Bhatia	10-3-1966
2. Shri Gappu	5-3-1966
3. Shri Kangali	5-3-1966
4. Shri Gujratia	6-3-1966

If not, to what relief the workmen are entitled?

[No. 36/23/66/LR-I.]

New Delhi, the 26th May 1967

S.O. 1922.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

SCHEDULE

Whether having regard to the settlement dated 24th April 1962 arrived at before the Chief Labour Commissioner (Central), New Delhi, the action of the management of the Punjab National Bank Limited, Head Office, New Delhi in reverting Shri R. L. Ahuja, Supervisor, Branch Office Civil Lines, Delhi with effect from 11th September, 1966 was justified? If not, to what relief is he entitled?

[No. 51/29/67-LRIII.]

New Delhi, the 27th May 1967

S.O. 1923.—Whereas, the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of the Hindustan China Clay Works, Post Office Pudukai, Via-Nileshwar Cannanore District, Kerala State and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal with Shri V. V. Subramania Iyer as Presiding Officer with headquarters at Kozhikode and refers the dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

1. Whether the rates of wages and dearness allowance being paid to the workers of the Hindustan China Clay Works, Post Office Pudukai, Via-Nileshwar, Cannanore District Kerala State, are adequate and reasonable keeping in view the present cost of living indices? If not, what should be the quantum of wages and dearness allowance and from what date?
2. Whether the management of Hindustan China Clay Works, Post Office Pudukai, Via-Nileshwar Cannanore District, Kerala State, are justified in paying bonus for the accounting year 1965-66 at 8% only under the Payment of Bonus Act, 1965. If not, at what rate should the bonus be paid to the employees?

[No. 36/8/67-LR.I.]

S. S. SAHASRANAMAN, Under Secy.

(Department of Labour & Employment)

New Delhi, the 22nd May 1967

S O 1924.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 28th day of May, 1967 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said

Act, shall come into force in the following areas in the State of Uttar Pradesh namely:—

Villages:

(1) Bagahi (2) Puraini (3) Hariharpur (4) Chanditara (5) Khutaha (6) Saidpura (7) Fatehpur (8) Vyasapur (9) Mahabulpur (10) Karwat.
in Pargana Raihoopur, Tehsil Chandauli, District Varanasi.

[No. F. 13(9)/67-HI.]

New Delhi, the 24th May 1967

S.O. 1925.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factory in an implemented area hereby exempts the Bus Depot at Poisar, Kandivli (West) Bombay belonging to the Bombay Electric Supply and Transport Undertaking from payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period upto and including the 19th February, 1968.

[No. F. 6(37)/66-HI.]

S.O. 1926.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory in an implemented area, hereby exempts the Barari Coke and Bye Products Works, P. O. Kusunda, District Dhanbad, Bihar, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a further period of one year upto and inclusive of the 30th April, 1968.

[No. F. 6(34/65-HI.)]

New Delhi, the 25th May 1967

S.O. 1927.—Whereas The Indian Rare Earths Limited, Udyogmandal, P.O. Alwaye (Kerala State), (hereinafter referred to as the said establishment) has applied for exemption under sub-section (1) of section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952), and

Whereas the Central Government is satisfied that the benefits conferred by the rules of the provident fund of the said establishment on the employees of the said establishment are on the whole not less favourable than those available under the Employees' Provident Funds Act, 1952 and the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Act and Scheme respectively) in relation to the employees in any other establishment of similar character,

Now, therefore, in exercise of powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, the Central Government hereby exempts with immediate effect. The Indian Rare Earths Limited, Udyogmandal, P.O. Alwaye (Kerala State) from operation of all the provisions of the said Scheme, subject to the conditions specified in the schedule annexed hereto;

Provided that the establishment shall pay within fifteen days of the close of each month to the Employees' Provident Fund inspection charges at the rate of 0.09 per cent (Zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the establishment who would have become members under Employees' Provident Funds Scheme, 1952 but for this exemption;

Provided further that the Provident Fund contributions shall be invested in Central Government securities within thirty days of close of the month to which contributions relate.

2. This supersedes Notification No. 35058/HI/65/HLD dated the 16th June, 1965 issued by the Health and Labour (H) Department, Government of Kerala.

THE SCHEDULE

1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time prescribe.

2. The employer shall furnish to each employee an annual statement of account or Pass Book.

3. All expenses involved in the administration of the fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc, shall be borne by the employer

4 The employer shall display on the notice board of the establishment a copy of the rules of the fund as approved by the appropriate Government and, as and when amended, alongwith a translation of the salient points thereof in the language of the majority of the employees.

5 Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) or the Provident Fund of another exempted establishment is employed in his establishment the employer shall immediately enrol him as a member of the Fund of the establishment, and accept the past accumulations in respect of such employee and credit to his account.

6 The employer shall enhance the rate of Provident Fund contribution appropriately if the rate of provident fund contributions for the class of establishment in which his establishment falls is enhanced under the Employees' Provident Funds Act, 1952 so that the benefits under the provident fund scheme of the establishment shall not become less favourable than the benefit provided under the Employees' Provident Funds Act, 1952

7 The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Commissioner within 3 months of the close of the year

8 No amendment of the rules of the provident fund shall be made without the previous approval of the Central Provident Fund Commissioner Where any amendment is likely to affect adversely the interests of the employees, the Central Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view

[No 11/12/66/PF II]

New Delhi, the 29th May 1967

S.O. 1928.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Prakash and Company 5/17 Kirti Nagar Industrial Area, New Delhi have agreed that the provisions of the Employees' Provident Funds Act 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment

This notification shall be deemed to have come into force on the 1st day of December 1966

[No 8(7)67-PF II]

S.O. 1929.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Maneklal and Sons Shed No 15 and 16 Cala Industrial Estate, Night soil Dumping Road Mulund (West) Bombay-80 have agreed that the provisions of the Employees' Provident Funds Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment

This notification shall be deemed to have come into force on the 1st day of September, 1966

[No 8(24)67-PF II]

S.O. 1930—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with

with effect from the 1st September, 1966, section 6 of the said Act shall, in its application to Messrs. Maneklal and Sons Shed No. 15 and 16 Gala Industrial Estate, Night soil Dumping Road, Mulund (West) Bombay-80, be subject to the modification that for the words 'six and a quarter per cent', the words 'eight per cent' were substituted.

[No. 8(24)67-PF-II.]

S.O. 1931.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mazda Manufacturing Company, Parel, Bombay-12, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st February, 1967.

[No. 8/56/67/PF-II.]

DALJIT SINGH, Under Secy.

(Department of Labour & Employment)

New Delhi, the 29th May 1967

S.O. 1932.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1967.
2. In the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, clause 11-A shall be omitted.

[No. 622/3/66-Fac.II.]

S.O. 1933.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Cochin Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In clause 39 of the Cochin Dock Workers (Regulation of Employment) Scheme, 1959 after sub-clause (2), the following sub-clause shall be inserted, namely:—

“(2A) The Chairman may delegate in writing his functions under the proviso to sub-clause (2) (a) (ii) to the Deputy Chairman, but such delegation shall not divest the Chairman of his powers.”

[No. 628/34/66-Fac.II.]

S.O. 1934.—The following draft of a scheme further to amend the Madras Dock Workers (Regulation of Employment) Scheme, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st July, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Scheme

1. This Scheme may be called the Madras Dock Workers (Regulation of Employment) Amendment Scheme, 1967.
2. In sub-clause (1) of clause 52 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956 after the words "at the same time as", the words ", or earlier than," shall be inserted.

[No. 629/4/66-Fac.II.]

K. D. HAJELA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 26th May 1967

S.O. 1935.—Whereas the Joint Working Committee of Indian Mining Association, Indian Mining Federation, Indian Colliery Owners' Association and Madhya Pradesh and Viderbha Mining Association, has, in pursuance of clause (iii) of sub-rule (1) of rule 3 of the Coal Mines Rescue Rules, 1959 nominated Shri W. N. Batra of M/s. Andrew Yule and Company Limited as a member of the Central Coal Mines Rescue Stations Committee; vice Shri G. S. D. Taneja,

Now, therefore in exercise of the powers conferred by rule 3 of the Coal Mines Rescue Rules, 1959, the Central Government, hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3310 dated the 13th October, 1965, namely:—

In the said notification for the entry against item 3, the following entry shall be substituted, namely:—

"Shri W. N. Batra c/o M/s. Andrew Yule & Company Limited P O Disher garh, District Burdwan".

[No. 14/9/67-MI.]

New Delhi, the 29th May 1967

S.O. 1936.—Whereas the Joint Working Committee of Indian Mining Association, Indian Mining Federation, Indian Colliery Owners' Association and Madhya Pradesh and Viderbha Mining Association, has, in pursuance of clause (iii) of sub-rule (1) of rule 3 of the Coal Mines Rescue Rules, 1959, nominated Shri W. N. Batra of M/s. Andrew Yule & Co., Ltd., as a member of the Central Coal Mines Rescue Stations Committee vice Shri G.S.D. Taneja;

Now, therefore, in exercise of the powers conferred by rule 3 of the Coal Mines Rescue Rules, 1959, the Central Government, hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3310 dated the 13th October, 1965, namely:—

In the said notification against item 3, for the entry the following entry shall be substituted, namely:—

"Shri W. N. Batra c o M/s. Andrew Yule & Co Ltd, P O Dishergarh, District Burdwan".

[No 14/9/67-MI.]

J. D. TEWARI, Under Secy.

(Department of Labour and Employment)

CORRIGENDUM

New Delhi, the 16th May 1967

S.O. 1937.—In the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation No. S.O. 1097, dated the 1st April, 1967 published in Part II, Section 3, Subsection (ii) of the Gazette of India Extraordinary 21st March, 1967:

Please read "**Rajasthan**" for "**Jaipur**" after the words "Inspectors of Factories and Boilers".

[No. 3/40/66-Spl. Fac. II.]

F. SADAGOPAN, Dy Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 17th May 1967

S.O. 1938.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri V. T. Bhatia, in the office of the Regional Settlement Commissioner, Bombay, as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the 1st May, 1967.

[No. 8/74/65/AGZ.]

New Delhi, the 20th May 1967

S.O. 1939. In exercise of the powers conferred by Clause (a) of Sub Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Rajasthan, Shri T. N. Mathur, Accounts Officer (Junior), Sriganganagar, in the office of Regional Settlement Commissioner, Rajasthan, Jaipur as Managing Officer for the custody, management and disposal of compensation pool with effect from 15th April 1967.

[No. 4(18)ARG/66]

New Delhi, the 24th May 1967

S.O. 1940.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Madhya Pradesh for public purposes being a purpose connected with the relief and rehabilitation of Displaced Persons including payment of compensation to such persons.

Now, therefore, in exercise of the power conferred by Section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the Evacuee Properties specified in the Schedule hereto annexed.

SCHEDULE

Serial Number	Particulars of the property	Name of the town and locality in which the property is situated	Name of the evacuee with parentage
1	2	3	4
1	House No. 87	Gond Para, Near Gole Bazar Dharam Shala, Bilaspur.	Shri Abdul Gaffar Khan.
2	House No. 88	Do.	Do.
3	House No. 197	Khapan Ganj, Teh Para, Bilaspur.	Shri Abdul Gaffar Khan.

[No. 29 (3)/Comp. & Prop./67.]

New Delhi, the 25th May 1967

S.O. 1941.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Gujarat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A-SCHEDULE

All properties in the States of Gujarat, Maharashtra, Madras, Mysore, Andhra Pradesh and Kerala which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 31st March, 1967 and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer.

[No. 1(27)/Comp & Prop./61.]

S.O. 1942.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Uttar Pradesh for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

SCHEDULE

All properties in the State of Uttar Pradesh which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of said Act, upto 31st March, 1967, and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer.

[No. 2(21)/Comp. & Prop./61.]

S.O. 1943.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Rajasthan for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A-SCHEDULE

All properties in the State of Rajasthan which have vested in Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act, upto 31st March, 1967 and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer.

[No. 22(13)/Comp and Prop/61.]

S.O. 1944.—Whereas the Central Government is of the opinion that it is necessary to acquire the Evacuee properties specified in the Schedule hereto annexed in the States of Delhi, Madhya Pradesh, Bihar and Orissa for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A-SCHEDULE

All properties in the States of Delhi, Madhya Pradesh, Bihar and Orissa, which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 31st March, 1967 and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer.

[No. 22(14)Comp. & Prop./61.]

CORRIGENDA

New Delhi, the 24th May 1967

S.O. 1945.—Please read "30-9-1966" for the figures "31-12-1966" occurring in the Schedule annexed to Notification No. 22(13)/Comp & Prop/61, dated 31st October 1966

[No. 1(27)/Comp and Prop/61.]

New Delhi, the 25th May 1967

S.O. 1946.—Please read “30-9-1966” for the figures “31-12-1966” occurring in the Schedule annexed to Notification No. 1(27)/Comp. & Prop./61, dated 31st October, 1966.

[No. 1(27)/Comp. & Prop./61.]

S.O. 1947.—Please read “30-9-1966” for the figures “31-12-1966” occurring in the Schedule annexed to Notification No. 2(21)/Comp. & Prop./61, dated the 31st October, 1966.

[No. 2(21)/Comp. & Prop./61.]

S.O. 1948.—Please read “30-9-1966” for the figures “31-12-1966” occurring in the Schedule annexed to Notification No. 22(14)/Comp. & Prop./61, dated the 31st October, 1966.

[No. 22(14)/Comp. & Prop./61.]

A. G. VASWANI,

Settlement Commissioner & Ex-Officio Under Secy.